



Soe Zeya Tun/Reuters

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Annual Report 2013



REPORT OVERVIEW

The U.S. Commission on International Religious Freedom (USCIRF), created by the International Religious Freedom Act of 1998 (IRFA) as an entity separate and distinct from the State Department, is an independent, bipartisan U.S. government advisory body that monitors religious freedom worldwide and makes policy recommendations to the President, Secretary of State, and Congress. USCIRF bases these recommendations on the standards found in the Universal Declaration of Human Rights and other international documents. The 2013 Annual Report represents the culmination of a year's work by Commissioners and staff to document abuses on the ground and make independent policy recommendations to the U.S. government.

The 2013 Annual Report has been reformatted and is divided into three sections.

The first section highlights countries which USCIRF designates as Tier 1 countries. Tier 1 countries are those that USCIRF recommends the United States designate as “countries of particular concern” (CPCs) under IRFA for their governments’ engagement in or toleration of particularly severe violations of religious freedom. Tier 1 countries include countries already officially designated as CPCs by the U.S. government and additional countries USCIRF has concluded meet the CPC threshold and should be so designated.

The second section focuses on countries USCIRF designates as Tier 2 countries. The Tier 2 category replaces the Watch List designation used by USCIRF in previous years. Neither Tier 2 nor the Watch List are required by IRFA, but USCIRF created them to highlight situations where religious persecution and other violations of religious freedom engaged in or tolerated by the governments are increasing. To be placed on Tier 2, USCIRF must find that the country is on the threshold of CPC status—that the violations engaged in or tolerated by the government are particularly severe and that at least one, but not all three, of the elements of IRFA’s “systematic, ongoing, egregious” standard is met (e.g., the violations are egregious but not systematic or ongoing).

The third section discusses other countries and regions USCIRF monitored during the year. This section also examines crosscutting themes affecting religious freedom in a range of countries around the world and highlights issues in multilateral organizations. An appendix contains biographies of Commissioners, supplemental materials, and prisoner lists.

THE WORK OF USCIRF FOR THE 2013 ANNUAL REPORT

With a reporting period of January 31, 2012 through January 31, 2013, this Annual Report addresses 29 countries around the world in the Tier 1, Tier 2, and other countries monitored sections. Additional countries are discussed in the Western Europe and thematic issues sections.

To gather information and carry out its work during the past year, USCIRF sent delegations of Commissioners and staff to Russia, Bahrain, Tajikistan, Ethiopia, Saudi Arabia, and Egypt; staff visited refugee camps in Ethiopia; and Commissioners and staff engaged multilateral institutions such as the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the African Union. USCIRF staff convened civil society roundtables to discuss Pakistan’s Universal Periodic Review and to educate civil society about the UN Special Rapporteur on Freedom of Religion or Belief. USCIRF Commissioners also testified before Congress on the status of human rights and religious freedom in Iran, Vietnam, Egypt, and the Middle East, stressing the need to improve U.S. engagement on religious freedom, as well as on the issue of anti-Semitism.

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USCIRF Commissioners and staff regularly interacted with nongovernmental organizations and religious communities. During the reporting period, USCIRF Commissioners and staff met with NGOs from the International Religious Freedom Roundtable to introduce new Commissioners and discuss USCIRF's agenda for the upcoming year, and hosted a follow-up meeting with them to coordinate religious freedom promotion efforts. In its work, USCIRF advocates on behalf of a diverse array of religious communities, including but not limited to: Uighur Muslims in China; Shi'i and Ismaili Muslims in Saudi Arabia; Ahmadiyya in Pakistan and Indonesia; Baha'is, Christians and dissident Muslims in Iran and Pakistan; Buddhists in Vietnam and China; and a range of indigenous faiths and spiritual movements in China, Egypt, Iraq, and Vietnam, as well as atheistic belief communities. USCIRF cosponsored with the Tom Lantos Human Rights Commission an event for the Spiritual Leader of the Ahmadiyya Muslim community. In addition, Commissioners and staff met with representatives of religious communities and institutions, such as the head of the Mandaean religious community from Iraq, Coptic Orthodox bishops, and religious leaders of multiple faiths from Sudan.

During the reporting period, USCIRF engaged the Obama administration at high levels to discuss how the United States can promote religious freedom more effectively on a number of issues critical to U.S. foreign policy. USCIRF Commissioners and staff met with high-ranking officials from the State Department and with U.S. ambassadors to key countries, as well as with National Security Council officials such as Deputy National Security Advisor Denis McDonough. Commissioners and staff also provided information to the Government Accountability Office about USCIRF's work and our recommendations on how the U.S. government can better advocate for religious freedom. USCIRF Commissioners and staff met with officials from foreign governments and international organizations, and USCIRF staff provided training to Foreign Service officers and other U.S. officials. USCIRF Commissioners and staff also engaged with human rights groups, victims of religious persecution, and academics, as well as other non-governmental organizations and policy experts.

USCIRF played a leading role in mobilizing Congress on a range of issues, including how to engage key countries on religious freedom violations, as well as helping convene public hearings. USCIRF Commissioners and staff serve as a resource to Members of the House and Senate and their offices on a range of countries and issues, including testifying before Congressional committees about USCIRF's independent findings and recommendations. USCIRF was instrumental in helping to establish the Defending Freedoms Project under the Tom Lantos Human Rights Commission (TLHRC). Working with the TLHRC and Amnesty International USA, the goal of the project is to increase attention to and support for human rights and religious freedom through a focus on prisoners of conscience around the world.

Over the course of the year, USCIRF issued a number of press releases. USCIRF was cited in numerous print and broadcast media, and op-eds were published in many outlets including: the Washington Post online, the Economist, Reuters, McClatchy, Fox News, the Huffington Post, Yahoo News, CNN News, the Foreign Policy.com, Deseret News, the Washington Times, the Moscow Times, the Christian Science Monitor, Roll Call, and Politico.

USCIRF'S COMPOSITION

USCIRF's work is accomplished through the leadership of its Commissioners and the engagement of its professional staff. USCIRF by statute is composed of ten members, three of whom are appointed by the President, three by the Senate, and three by the House of Representatives. The Ambassador-at-Large for International Religious Freedom serves *ex officio* as a non-voting member. Dr. Suzan Johnson Cook is the Ambassador-at-Large, nominated by the Obama administration in 2010 and sworn in on May 16, 2011.

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In December 2012, Congress passed and the President signed the United States Commission on International Religious Freedom Reform and Reauthorization Act of 2011 (P.L.112-75), reauthorizing USCIRF until September 30, 2014. In addition, the reauthorization act ended the terms of several Commissioners, which led to six new appointments during the reporting period.

USCIRF Commissioners are:

Dr. Katrina Lantos Swett, Chair (Appointed by Senate Majority Leader Harry Reid)
Ambassador Mary Ann Glendon, Vice Chair (Appointed by Senate Minority Leader Mitch McConnell)
Rev. William J. Shaw, Vice Chair (Appointed by President Obama)
Hon. Elliott Abrams (Appointed by House Speaker John Boehner)
Dr. Robert P. George (Appointed by House Speaker John Boehner)
Hon. Sam Gejdenson (Appointed by House Minority Leader Nancy Pelosi)
Dr. Azizah al-Hibri (Appointed by President Obama)
Dr. M. Zuhdi Jasser (Appointed by Senate Minority Leader Mitch McConnell)

Commissioners may serve no more than two full terms, with each term of office being two years and with no appointments being held over until a new Commissioner is named. There was one Presidential vacancy during the entirety of the reporting period.

TIER 1 COUNTRIES OF PARTICULAR CONCERN

IRFA requires the President, who has delegated this authority to the Secretary of State, to designate as “countries of particular concern,” or CPCs, those governments that have engaged in or tolerated “particularly severe” violations of religious freedom. IRFA defines “particularly severe” violations as ones that are “systematic, ongoing, and egregious,” including acts such as torture, prolonged detention without charges, disappearances, or “other flagrant denial[s] of the right to life, liberty, or the security of persons.” After a country is designated a CPC, the President is required by law to take one or more of the actions specified in IRFA, or to invoke a waiver if circumstances warrant.

For the 2013 Annual Report, USCIRF recommends that the Secretary of State re-designate the following eight countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan. USCIRF also finds that seven other countries meet the CPC threshold and should be so designated: Egypt, Iraq, Nigeria, Pakistan, Tajikistan, Turkmenistan, and Vietnam.

TIER 2 COUNTRIES

USCIRF also places countries on its Tier 2, where the country is on the threshold of CPC status, meaning that the violations engaged in or tolerated by the government are particularly severe and that at least one, but not all three, of the elements of the “systematic, ongoing, egregious” standard is met. The Tier 2 designation provides advance warning of negative trends that could develop into severe violations of religious freedom, thereby giving policymakers an opportunity to engage early and increasing the likelihood of preventing or diminishing the violations. USCIRF has concluded that the following eight countries meet the Tier 2 standard in this reporting period: Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, and Russia.

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Tier 1 and Tier 2 Countries	
Tier 1 CPC Countries	Tier 2 Countries
Burma*	Afghanistan
China*	Azerbaijan
Eritrea*	Cuba
Iran*	India
North Korea*	Indonesia
Saudi Arabia*	Kazakhstan
Sudan*	Laos
Uzbekistan*	Russia
Egypt	
Iraq	
Nigeria	
Pakistan	
Tajikistan	
Turkmenistan	
Vietnam	
* Countries officially designated as CPCs by the U.S. Department of State	

ACTIONS TAKEN UNDER IRFA

As of the end of the reporting period, the Obama administration had only once issued CPC designations during its first term. Countries remain designated until removed, but any corresponding penalties will expire after two years. The countries currently designated—Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan—were named in August 2011. The State Department issued indefinite waivers on taking any action against Uzbekistan and Saudi Arabia, in both cases to “further the purposes of the [International Religious Freedom] Act.” As a result of these waivers, the United States has not implemented any policy response tied to the CPC designation for either country.

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IRFA provides the Secretary of State with a unique toolbox with which to promote religious freedom more effectively and with greater impact. The Act includes a menu of options for countries designated as CPCs and a list of actions to help encourage improvements in countries that violate religious freedom but do not meet the CPC threshold. The specific policy options to address severe violations of religious freedom in CPC countries include sanctions (referred to as Presidential actions in IRFA) that are not automatically imposed. Rather, the Secretary of State is empowered to enter into direct consultations with a government to find ways to bring about improvements in religious freedom. IRFA also permits the development of either a binding agreement with a CPC-designated government on specific actions it will take to end the violations that gave rise to the designation or the taking of a “commensurate action.” The Secretary may additionally determine that pre-existing sanctions are adequate or waive the requirement of taking action in furtherance of the Act.

However, in practice, the flexibility provided in IRFA has been underutilized. Generally, no new Presidential actions pursuant to CPC designations have been levied, with the State Department instead relying on pre-existing sanctions. While relying on pre-existing sanctions is technically correct under the statute, the practice of “double-hatting” has provided little incentive for CPC-designated governments to reduce or end egregious violations of religious freedom. For these mechanisms to have any real impact on promoting religious freedom, the designation of an egregious religious freedom violator as a CPC must be followed by the implementation of a clear, direct, and specific Presidential action.

Actions Taken Under IRFA	
The following Presidential actions under section 402(c)(1) of IRFA were approved by Secretary Clinton on August 18, 2011	
Burma	The existing, ongoing arms embargo referenced in 22 CFR 126.1(a).
China	The existing, ongoing restrictions on exports to China of crime control and detection instruments and equipment, under P.L. 101-246 and the Foreign Relations Authorization Act of 1990 and 1991.
Eritrea	The existing, ongoing arms embargo referenced in 22 CFR 126.1(a).
Iran	The existing, ongoing restrictions on certain imports from and exports to Iran, in accordance with section 103(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (P.L. 111-195).
North Korea	The existing, ongoing restrictions to which North Korea is subject, pursuant to sections 402 and 209 of the Trade Act of 1974 (the Jackson-Vanik Amendment).
Sudan	The restriction on making certain appropriated funds available for assistance to the Government of Sudan in the annual Department of State, Foreign Operations, and Related Programs Appropriations Act, currently set forth in section 7070(f) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Div. F, P.L. 111-117), as carried forward by the Full-Year Continuing Appropriations Act, 2011 (Div. B, P.L. 112-10) and any provision of law that is the same or substantially the same as this provision.

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Saudi Arabia & Uzbekistan	Waived the requirements of section 405(a) of the IRF Act with respect to Saudi Arabia, and Uzbekistan, to further the purposes of the IRFA.
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USCIRF recommends that, in addition to implementing specific Presidential actions, the U.S. government should designate CPCs in a timely manner. While IRFA does not set a specific deadline, the Act indicates that CPC designations should take place soon after the State Department releases its *Annual Report on International Religious Freedom*, as decisions are to be based on that review. The August 2011 designations were made in conjunction with the *Annual Report*, but that was not repeated in 2012. It is important that the Obama administration in its second term issue designations annually after each State Department religious freedom report, in order to bring the timing back on track with the intended schedule. It should also ensure that the Presidential actions do not expire in August 2013.

OVERVIEW OF TIER 1 CPC RECOMMENDATIONS AND TIER 2 PLACEMENT

Justification of Commission Recommendations for Tier 1 CPC Designation

Burma: Ongoing and important political reforms in Burma have yet to significantly improve the situation for freedom of religion and belief. During the reporting period, most religious freedom violations occurred against ethnic minority Christian and Muslim communities, with serious abuses against mainly Christian civilians during military interventions in Kachin State and sectarian violence by societal actors targeting Muslims in Rakhine (Arakan) State. In addition, Buddhist monks suspected of anti-government activities were detained or removed from their pagodas, and at least eight monks remain imprisoned for participating in peaceful demonstrations. In addition to sometimes severe restrictions on worship, education, and other religious activities and ceremonies, religious groups continue to face a range of problems, including: pervasive surveillance, imprisonment, discrimination, societal violence, destruction or desecration of property, and censorship of religious materials.

China: The Chinese government continues to perpetrate particularly severe violations of the freedom of thought, conscience, and religion or belief. Religious groups and individuals considered to threaten national security or social harmony, or whose practices are deemed beyond the vague legal definition of “normal religious activities,” are illegal and face severe restrictions, harassment, detention, imprisonment, and other abuses. Religious freedom conditions for Tibetan Buddhists and Uighur Muslims remain particularly acute, as the government broadened its efforts to discredit and imprison religious leaders, control the selection of clergy, ban certain religious gatherings, and control the distribution of religious literature by members of these groups. The government also detained over a thousand unregistered Protestants in the past year, closed “illegal” meeting points, and prohibited public worship activities. Unregistered Catholic clergy remain in detention or disappeared. Falun Gong face some of the most intense and violent forms of persecution. Adherents are tortured and mistreated in detention and are pursued by an extralegal security force chartered to stamp out “evil cults.” The Chinese government also continues to harass, detain, intimidate, and disbar attorneys who defend members of vulnerable religious groups.

Egypt: During the reporting period, the Egyptian transitional and newly elected governments have made some improvements related to freedom of religion or belief and there was positive societal progress between religious communities. Nevertheless, during a February 2013 visit to Egypt, USCIRF found that the Egyptian government continued to engage in and tolerate systematic, ongoing, and egregious violations of freedom of thought, conscience and religion or belief. Despite a significant decrease in the number of fatalities and injuries from sectarian violence during the reporting period, Coptic Orthodox Christians, and their property, continued to experience sustained attacks. In many cases, the government failed or was slow to protect religious minorities from violence. This violence and the failure to convict

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those responsible continued to foster a climate of impunity. Egyptian courts continued to prosecute, convict, and imprison Egyptian citizens charged with “contempt” or “defamation” of religion. In some instances, disfavored Muslims faced harassment, detention, and imprisonment by government authorities. Egypt’s newly adopted constitution, which has been widely criticized, includes several problematic provisions related to freedom of religion or belief and related rights. Implementation of previous court rulings—related to granting official identity documents to Baha’is and changing religious affiliation on identity documents for converts to Christianity—has seen some progress but continues to lag, particularly for Baha’is. In addition, the government has not responded adequately to combat widespread and virulent anti-Semitism in the government-controlled media.

Eritrea: Systematic, ongoing, and egregious religious freedom violations continue in Eritrea. These violations include: thousands of religious prisoners; arbitrary arrests and detentions without charges of members of unregistered religious groups; a prolonged ban on public religious activities; revocation of citizenship rights of Jehovah’s Witnesses; interference in the internal affairs of registered religious groups; and inordinate delays in responding to registration applications from religious groups. USCIRF interviews with Eritrean refugees in late 2012 heard credible reports indicating many prisoners are subjected to torture and other inhumane treatment. The situation is particularly dire for Jehovah’s Witnesses and members of other small, disfavored religious groups, such as Evangelical and Pentecostal Christians. The government dominates the internal affairs of the four recognized religious, but especially the Orthodox Church of Eritrea, the country’s largest Christian denomination. The government-deposed Eritrean Orthodox Patriarch Abune Antonios remains under house arrest since 2007.

Iran: The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Iran is a constitutional, theocratic republic that discriminates against its citizens on the basis of religion or belief. During the past year, the already poor religious freedom conditions continued to deteriorate, especially for religious minorities, in particular for Baha’is as well as Christians and Sufi Muslims. Physical attacks, harassment, detention, arrests, and imprisonment intensified. Even some of the recognized non-Muslim religious minorities protected under Iran’s constitution—Jews, Armenian and Assyrian Christians, and Zoroastrians—face harassment, intimidation, discrimination, arrests, and imprisonment. Majority Shi’i and minority Sunni Muslims, including clerics who dissent, were intimidated, harassed, and detained. Dissidents and human rights defenders were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of “waging war against God.” Heightened anti-Semitism and repeated Holocaust denials by senior government officials and clerics continue to foster a climate of fear among Iran’s Jewish community. Since the 1979 revolution, members of minority religious communities have fled Iran in significant numbers for fear of persecution.

Iraq: Over the last several years the Iraqi government has made efforts to increase security for religious sites and worshippers, provide a stronger voice for Iraq’s smallest minorities in parliament, and revise secondary school textbooks to portray minorities in a more positive light. Nevertheless, the government of Iraq continues to tolerate systematic, ongoing, and egregious religious freedom violations, including violent religiously-motivated attacks. Violence against Iraqi civilians continued in 2012 at approximately the same level as in 2011. In addition, the government took actions that increased, rather than reduced, Sunni-Shi’i and Arab-Kurdish tensions, threatening the country’s already fragile stability and further exacerbating the poor religious freedom environment.

Nigeria: The government of Nigeria continues to tolerate systematic, ongoing, and egregious violations of religious freedom that lead to particularly severe violations affecting all Nigerians, both Christian and Muslim. For many years, the government has failed to bring those responsible for sectarian violence to justice, prevent and contain acts of such violence, or prevent reprisal attacks. As a result since 1999,

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more than 14,000 Nigerians have been killed in sectarian violence between Muslims and Christians. Boko Haram, a militant group that espouses an extreme and violent interpretation of Islam, benefits from this culture of impunity and lawlessness as it exploits Muslim-Christian tensions to destabilize Nigeria. Boko Haram also justifies its attacks on churches by citing, among other things, state and federal government actions against Muslims.

North Korea: The recent leadership transition in the Democratic People’s Republic of North Korea (DPRK or North Korea) has not improved human rights or religious freedom conditions. North Korea remains one of the world’s most repressive regimes, where severe religious freedom abuses continue. In the past year, refugees and defectors reported discrimination and harassment of both authorized and unauthorized religious activity; the arrest, torture, and possible execution of those conducting clandestine religious activity or engaging in “fortune-telling;” and the mistreatment and imprisonment of asylum-seekers repatriated from China, particularly those suspected of engaging in religious activities, having religious affiliations, or possessing religious literature. In addition, North Korea continues to operate one of the world’s most expansive systems of political prison camps, which include a sizable number of individuals arrested for “illegal” religious activity.

Pakistan: The government of Pakistan continues to engage in and tolerate systematic, ongoing, and egregious violations of freedom of religion or belief. Sectarian and religiously-motivated violence is chronic, especially against Shi’i Muslims, and the government has failed to protect members of religious minority communities, as well as the majority faith. Pakistan’s repressive blasphemy laws and other religiously discriminatory legislation, such as the anti-Ahmadi laws, have fostered an atmosphere of violent extremism and vigilantism. Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal actors who incite violence. Growing religious extremism threatens Pakistan’s security and stability, as well as the freedoms of religion and expression, and other human rights, for everyone in Pakistan.

Saudi Arabia: During the reporting period, the Saudi government made improvements in policies and practices related to freedom of religion or belief, but remains a “country of particular concern,” or CPC, for violations of freedom of religion or belief. The Saudi government continues to ban most forms of public religious expression other than that of the government’s own interpretation of one school of Sunni Islam; prohibits any public non-Muslim places of worship; and periodically interferes with the private religious practice of non-Muslim expatriate workers in the country. There continued to be sporadic arrests and detentions of Shi’i Muslim dissidents, partly as a result of more frequent protests and demonstrations since early 2011. Saudi officials often cite national security concerns as a pretext for cracking down on religious minorities and Muslim dissidents. In addition, the Saudi government continued to prosecute, convict, and imprison individuals charged with apostasy, blasphemy, and sorcery.

Sudan: Systematic, ongoing, and egregious violations of freedom of religion or belief continue in Sudan. While religious freedom conditions greatly improved in South Sudan and improved in Sudan during the Interim Period of the Comprehensive Peace Agreement (CPA) that ended the civil war in January 2005, conditions in Sudan have deteriorated since South Sudan’s independence. Violations include: the criminalization, subject to the death penalty, of apostasy; the efforts by the government in Khartoum to impose its restrictive interpretation of Shari’ah (Islamic law) on Muslims and non-Muslims; the application of the Public Order Act and related laws and use of floggings for undefined acts of “indecent” and “immorality;” attacks and threats against the Christian community; and discrimination against the Christian community.

Tajikistan: Tajikistan’s restrictions on religious freedom remained in place during the reporting period, and systematic, ongoing, and egregious violations of freedom of religion or belief continue. The government suppresses and punishes all religious activity independent of state control, and imprisons

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individuals on unproven criminal allegations linked to religious activity or affiliation. These restrictions and abuses primarily affect the country's majority Muslim community, but also target minority communities, particularly Protestants and Jehovah's Witnesses. The Jehovah's Witnesses community has been banned since 2007. In recent years, the Tajik government has destroyed a synagogue, a church, and three mosques, and it has closed down hundreds of unregistered mosques.

Turkmenistan: Severe religious freedom violations persist in Turkmenistan. Despite a few limited reforms undertaken by President Berdimuhamedov after he took office in 2007, the country's laws, policies, and practices continue to violate international human rights norms, including those on freedom of religion or belief. Police raids and other harassment of registered and unregistered religious groups continue. The repressive 2003 religion law remains in force, causing major difficulties for religious groups to function legally. Turkmen law does not allow a civilian alternative to military service and eight Jehovah's Witnesses are imprisoned for conscientious objection.

Uzbekistan: Since Uzbekistan gained independence in 1991, its government has systematically and egregiously violated freedom of religion or belief, as well as other human rights. The Uzbek government harshly penalizes individuals for independent religious activity regardless of their religious affiliation. A restrictive religion law facilitates state control over all religious communities, particularly the majority Muslim community. The government arrests Muslims and represses individuals, groups, and mosques that do not conform to officially-prescribed practices or that it claims are associated with extremist political programs. Thousands of individuals remain imprisoned as alleged extremists, including many who reportedly are denied due process and subjected to torture. While Uzbekistan does face security threats from groups that advocate or perpetrate violence in the name of religion, vague anti-extremism laws are applied against many Muslims and others who pose no credible threat to security.

Vietnam: The government of Vietnam continues to expand control over all religious activities, severely restrict independent religious practice, and repress individuals and religious groups it views as challenging its authority. Religious activity continues to grow in Vietnam and the government has made some important changes in the past decade in response to international attention, including from its designation as a "country of particular concern" (CPC). Nevertheless, authorities continue to imprison or detain individuals for reasons related to their religious activity or religious freedom advocacy; independent religious activity remains repressed; the government maintains a specialized police for dealing with religious groups; legal protections for government-approved religious organizations are subject to arbitrary or discriminatory interpretations based on political factors; and converts to ethnic-minority Protestantism and Catholicism face discrimination, intimidation, and pressure to renounce their faith.

Justification of Commission Placement on Tier 2

Afghanistan: Conditions for religious freedom are exceedingly poor for dissenting members of the majority faith and minority religious communities. Individuals who dissent from the prevailing orthodoxy regarding Islamic beliefs and practices are subject to legal actions that violate international standards. The threat of violence by the Taliban and other armed groups is an increasing reality, as the Afghan government increases its responsibility of providing security nationwide, yet remains unable to protect citizens against violence and intimidation.

Azerbaijan: Despite the government's claims of official tolerance, religious freedom conditions in Azerbaijan deteriorated over the past few years. During the reporting period, religious organizations were closed and non-violent religious activity was punished with detentions, fines and other penalties. The Azeri government applied the repressive religion law adopted in 2009 that curtails a range of religious

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activities. Penalties were increased for religion law violations in 2010 and 2011. Unregistered religious activity is illegal and the activities of registered groups are tightly regulated.

Cuba: Serious religious freedom violations continue in Cuba, despite some improvements for government-approved religious groups. Reports indicate a tripling in the number of violations, such as detentions and sporadic arrests of clergy and religious leaders; harassment of religious leaders and laity; interference in religious groups' internal affairs, and pressure to prevent democracy and human rights activists from participating in religious activities. Despite constitutional protections for religious freedom, the Cuban government actively controls and monitors religious practice through a restrictive system of laws and policies.

India: There has been no large-scale communal violence against religious minorities in India since 2008, and in recent years the Indian government has created special investigative and judicial structures in an effort to address previous such attacks. Nevertheless, in the past year, progress in achieving justice through these structures for the victims of past incidents continued to be slow and ineffective. In addition, members of religious minority communities, including Muslims, Christians, Sikhs, and Jehovah's Witnesses, reported an increase during the reporting period of intimidation, harassment, and violence, particularly in states with anti-conversion laws.

Indonesia: Indonesia is a stable and robust democracy with political institutions able to advance and protect human rights. In recent years, however, the country's traditions of religious tolerance and pluralism have been strained by ongoing sectarian tensions, societal violence, and the arrest of individuals considered religiously "deviant." While the government has addressed past sectarian violence and effectively curtailed terrorist networks, religious minorities continue to experience intimidation, discrimination, and violence. The Indonesian government, including the local police, provincial officials and the courts, often tolerates activities of extremist groups, fails to enforce national laws protecting religious minorities, and issues lenient sentences to individuals arrested for engaging in violence. In addition, national laws and provincial decrees have led to serious abuses of the freedom of thought, conscience, and religion or belief, including destruction or forced closure of religious venues and imprisonment of individuals accused of blasphemy or "deviant" religious teachings.

Kazakhstan: Religious freedom conditions in Kazakhstan deteriorated in 2012. In late 2011, the Kazakh government adopted a repressive new religion law, which resulted in a sharp drop in the number of registered religious groups in 2012. Unregistered religious activity is illegal, and the activities of registered groups are strictly regulated. During the reporting period, religious organizations were closed and religious activity was penalized with police raids, short-term detentions, fines, and other penalties.

Laos: Serious religious freedom abuses continue in Laos. The Lao legal code restricts religious practice, and the government is either unable or unwilling to curtail ongoing religious freedom abuses in some provincial areas. In the past year, provincial officials violated the freedom of religion or belief of ethnic minority Protestants through detentions, surveillance, harassment, property confiscations, forced relocations, and forced renunciations of faith. Nonetheless, religious freedom conditions have improved for the majority Buddhist groups and for other religious groups living in urban areas. In addition, the Lao Front for National Construction (LFNC), the agency tasked with carrying out government religious policy, has engaged with religious groups in Laos and with international NGOs, to better understand religious freedom and to occasionally intervene in cases of detention or property confiscation.

Russia: During the reporting period, religious freedom conditions in Russia deteriorated further and major problems discussed in previous USCIRF reports continue. These include the application of laws on religious and non-governmental organizations to violate the rights of allegedly "non-traditional" religious groups and Muslims; the use of the extremism law against religious groups and individuals not

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known to use or advocate violence, particularly Jehovah's Witnesses and readers of Turkish Muslim theologian Said Nursi; official favoritism of the Moscow Patriarchate of the Russian Orthodox Church and intolerance of religious groups deemed "alien" to Russian culture; and the government's failure to adequately address xenophobia, including anti-Semitism, which results in sometimes lethal hate crimes. In addition, an arsenal of restrictive new laws against civil society was passed in 2012, and a draft blasphemy bill before the Duma, would, if passed, further curtail the freedoms of religion, belief and expression.

USCIRF AND STATE DEPARTMENT IMPLEMENTATION OF IRFA

The International Religious Freedom Act (IRFA) provides the U.S. government with unique capabilities to address violations of religious freedom, which are often involved in some of the world's most pressing foreign policy challenges. By using these tools, the United States can more effectively encourage respect for human rights and also address factors driving violent religious extremism. Promoting religious freedom can help policymakers achieve crucial foreign policy goals, fostering respect for human rights while promoting stability and ultimately national security.

HIGH LEVEL STATEMENTS

The Obama administration spoke about the importance of religious freedom several times during the reporting period. President Obama referenced international religious freedom in his Presidential proclamations on Religious Freedom Day in 2012 and 2013, marking the passage of the Virginia Statute for Religious Freedom. In addition, Denis McDonough, then deputy national security advisor and now White House Chief of Staff, gave two statements on the importance of religious freedom. On July 30, 2012, he issued a statement on the White House website entitled, "International Religious Freedom: A Human Right, A National Security Issue, A Foreign Policy Priority." Mr. McDonough stated, "the United States will continue to make the promotion of international religious freedom a key national security and foreign policy priority for the United States, to advocate forcefully for these issues publically and privately, in both multilateral and bilateral settings." He gave a speech along similar lines on September 12, 2012, where he noted that the "lack of religious freedom – or discriminating against people because of their faith – can be a recipe for instability," and cited China, Burma, Pakistan, Nigeria, Sudan, Afghanistan, Cuba, and Egypt.

During the reporting period, Secretary of State Hillary Clinton gave two major speeches that highlighted the importance of religious freedom. On July 30, 2012, for the release of the 2011 State Department's *Annual Report on International Religious Freedom*, Secretary Clinton spoke at the Carnegie Endowment for International Peace and described religious freedom advocacy as a "bedrock" of U.S. foreign policy. She explained how governments have a unique obligation to protect the human rights of all their citizens, and stated the U.S. government would "if necessary, look at ways to use consequences" to encourage reforms. On December 6, 2012 at Dublin City University in Ireland, Secretary Clinton described four "frontlines" for human rights, stating the "first frontline is religious freedom and the rights of religious minorities." Noting the bundled nature of the right, she said "while religious freedom is a human right unto itself, this issue is about other rights, too," such as freedoms of speech, association, and assembly.

REDUCTION OF THE STATUS OF THE AMBASSADOR-AT-LARGE

Dr. Suzan D. Johnson Cook continued to serve throughout the reporting period as the State Department's Ambassador-at-Large for International Religious Freedom. The highest-ranking U.S. official on religious freedom, the Ambassador-at-Large is a key official for the coordination and development of U.S. policy regarding freedom of religion or belief, and serves as an *ex officio* member of USCIRF.

According to a report by the Government Accountability Office, the State Department's Bureau of Democracy, Human Rights and Labor (DRL) dramatically reduced the rank of the Ambassador-at-Large. GAO reported that the current Ambassador was informed that, while officially reporting to the DRL Assistant Secretary, she would in practice report to the bureau's Principal Deputy Assistant Secretary or a Deputy Assistant Secretary. This constitutes a major change in the structure IRFA established and a thwarting of congressional intent. Under IRFA, the Ambassador-at-Large is to be a "principal adviser to

the President and the Secretary of State regarding matters affecting religious freedom abroad.” Since the position was established, every administration, including the current one, has situated the Ambassador-at-Large in the Bureau of Democracy, Human Rights and Labor (DRL) and therefore under its Assistant Secretary. This is despite the State Department’s organizational structure guidelines, which, as reported by the GAO, consider an Ambassador-at-Large to be of higher rank than an Assistant Secretary. Furthermore, other Ambassadors-at-Large report to the Secretary, such as those for Global Women’s Issues, Counterterrorism, and War Crime Issues, as well as the AIDS Coordinator. Even before GAO reported that the Ambassador reports to a Deputy Assistant Secretary, the Ambassador-at-Large for International Religious Freedom was the lowest positioned ambassador-at-large in the State Department hierarchy.

In addition, it is unclear whether the Ambassador-at-Large retains managerial control of the Office of International Religious Freedom, as has been the case in the past. Moreover, the Office’s staff has decreased in recent years, and it now has a smaller staff than other offices with a global mandate. It also staffs the Special Envoy to Monitor and Combat Anti-Semitism and works closely with the Special Envoy to the Organization of the Islamic Conference and the Special Representative to Muslim Communities, but has received no additional resources for these duties.

USCIRF recommends the Obama administration fulfill IRFA’s intent that the Ambassador-at-Large be a “principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad” by ensuring he or she has direct access to the President and the Secretary of State; continue the practice of having the Ambassador maintain direct oversight of the staff of Office of International Religious Freedom; and have the Ambassador chair a working group with other religiously-oriented positions and programs at the State Department to ensure consistency in message and strategy. In addition, the Office of International Religious Freedom should be empowered to be the central location for all State Department efforts on religious freedom and religious engagement, including by enlarging its staff, deepening its expertise, and providing at least \$4 million annually in dedicated programmatic funds for religious freedom promotion/protection.

USCIRF also recommends that the Obama administration quickly fill the position of Special Envoy to Monitor and Combat Anti-Semitism, which currently is filled by another official in an acting capacity. Considering the global challenge of anti-Semitism, the position should be provided its own staff, distinct from the IRF Office, so the Special Envoy can have dedicated support and resources are not removed from the IRF Office. In addition, the Special Envoy should be provided with independent programmatic funds. In addition, the Special Envoy to the Organization of the Islamic Conference and the Special Representative to Muslim Communities should receive additional resources to allow both to increase their ability to promote religious freedom initiatives, within their broader mandates.

STATE DEPARTMENT WORKING GROUP ON RELIGION AND FOREIGN POLICY

During the reporting period, the State Department concluded its Strategic Dialogue with Civil Society, which was composed of five working groups. The Religion and Foreign Policy Working Group allowed for dialogue between the State Department and religious leaders, scholars and practitioners about issues relating to religion and foreign policy. The Working Group was comprised of three subgroups – Religious Freedom, Stability & Democracy; Religious Engagement & Conflict Prevention/Mitigation; and Religion & Development and Humanitarian Aid. The Working Group was co-chaired by Under Secretary for Civilian Security, Democracy, and Human Rights Maria Otero, Ambassador-at-Large for International Religious Freedom Suzan Johnson Cook, and Executive Director of the White House Office of Faith-Based and Neighborhood Community Partnerships Joshua DuBois. The co-chairs sat on the Strategic Dialogue with Civil Society Federal Advisory Commission and forwarded working group recommendations to that body. Two advisors from the non-governmental sector, Dr. Chris Seiple and Dr.

USCIRF AND STATE DEPARTMENT IMPLEMENTATION OF IRFA

William Vendley, helped chair the sub-groups and also sat on the Federal Advisory Committee. USCIRF Commissioners and staff participated in several of the sub-groups.

Through this process, the State Department Legal Adviser's office was tasked with providing legal guidance on how diplomats can work with faith-based communities abroad. The guidance has reportedly been issued as an internal document. Also, training programs at the Foreign Service Institute on religion and foreign policy were approved. The State Department reports that more than 40 civil society working groups have been set up through American embassies around the world that focus on civil society engagement.

In October 2012, the Religion and Foreign Policy Working Group issued a white paper with four recommendations for the Secretary of State: 1) Create a "national capacity" to guide the State Department on religion and foreign policy (such as a national strategy on religious engagement); 2) Direct the State Department to create mechanisms to engage with religious communities; 3) Establish an official point of contact within the State Department to foster better communication with religious communities; and 4) Institutionalize the Religion and Foreign Policy Working Group. Of these recommendations, the State Department is expected to continue the Working Group for another two years. In addition, the State Department will likely create a point of contact for religious communities, based in the Secretary's office. It is unclear how this position will relate to the Ambassador-at-Large and the Office of International Religious Freedom.

USCIRF recommends that the State Department establish a formal mechanism to liaise with NGOs and religious communities working on religious freedom issues, such as by continuing the Working Group on Religion and Foreign Policy, and that it more fully involve USCIRF in this effort. Through the strategic dialogue generally and the Religion and Foreign Policy Working Group specifically, the State Department has begun to systematically increase its engagement with religious communities and other individuals who engage on religious freedom and tolerance, thereby improving its ability to promote religious freedom, interfaith understanding, and stability. The white paper recommendations provided an important opportunity to increase the State Department's ability to leverage the inputs of nongovernmental organizations to advance U.S. foreign policy. Moving forward, the State Department should bring the Working Group closer to current policy discussions and debates within the agency, ensuring that officials from regional bureaus are more involved.

NATIONAL STRATEGY AND GUIDANCE

The May 2010 National Security Strategy made only modest reference to human rights and only passing reference to freedom of worship. USCIRF recommends that, during its second term, the Obama administration's national security strategy address directly issues of international religious freedom and create specific guidance for the U.S. government's promotion of freedom of religion or belief abroad. With this, the administration should establish an interagency working group at the National Security Council to coordinate a whole-of-government effort on religious freedom, including civilian and defense agencies and USCIRF, and staff this initiative with the Director-level position provided for in the International Religious Freedom Act. A robust National Security Strategy, with a supporting taskforce and dedicated staff, would ensure that the strategy is implemented across agencies.

USCIRF also recommends that religious freedom be addressed directly in the next Quadrennial Diplomacy and Development Review (QDDR), and, as appropriate in the Quadrennial Defense Review (QDR). While the first QDDR did recognize the need to engage religious groups along with others to create the partnerships needed to advance American interests, it was silent on the issue of religious freedom.

USCIRF AND STATE DEPARTMENT IMPLEMENTATION OF IRFA

In addition, IRFA encourages U.S. embassies abroad to develop strategies for religious freedom promotion. USCIRF recommends the State Department develop individual country strategies to promote religious freedom, in consultation with USCIRF and nongovernmental organizations, to leverage both U.S. government influence and partnerships with advocacy organizations and religious communities.

FUNDING FOR RELIGIOUS FREEDOM PROGRAMS

IRFA also envisaged the funding of religious freedom programs, authorizing foreign assistance to promote and develop “legal protections and cultural respect for religious freedom.” This authorization was unfunded until fiscal year 2008, when \$4 million was appropriated for specific DRL grants on religious freedom programming under the Human Rights Democracy Fund (HRDF). The Consolidated Appropriations Act of 2012 (P.L. 112-74) also directed that appropriated funds for democracy and human rights promotion “shall also be made available to support freedom of religion, especially in the Middle East and North Africa.” While no specific earmark or carve-out was made, over the last three years, the Office of International Religious Freedom has managed over \$10 million of HRDF funds covering 15 programs, including seven NGO programs in Asia and the Middle East that include both legal training and grassroots support for religious freedom.

Considering the statutory recognition of these programs and the demonstrated interest and capacity of human rights and religious freedom organizations, USCIRF recommends Congress provide a specific carve-out of HRDF funds to ensure ongoing religious freedom programming managed by the Office of International Religious Freedom. The National Endowment for Democracy, the U.S. Institute of Peace and other entities dispersing federal funds for grant should also be instructed to undertake specific programming on religious freedom. In addition, USAID should be tasked with developing and disseminating education materials on human rights, religious freedom, and the importance of interfaith understanding for the achievement of development objectives in countries of particular concern and fund teacher training initiatives to support this effort.

MONITORING MECHANISMS

IRFA mandated that the Secretary of State establish monitoring mechanisms “consisting of lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious faith, together with brief evaluations and critiques of the policies of the respective country restricting religious freedom.” In compiling this list, the State Department was directed to use the resources of the various bureaus and embassies and to consult with NGOs and religious groups. While the State Department has advocated for individual prisoner cases, USCIRF is unaware of the Department establishing or maintaining a comprehensive list of such prisoners. However, USCIRF has compiled an informal list of prisoners (see below) that reflects only a small number of those detained, jailed, or disappeared, and longer lists of prisoners in Iran, Pakistan, and Uzbekistan are included in this Annual Report’s appendices. In addition, the Congressional-Executive Commission on China maintains a comprehensive, searchable database of prisoners in China. The ability of both commissions to track prisoners, even while operating with substantially fewer resources and less access to international information than the State Department, demonstrates that the State Department can fulfill this statutory mandate.

USCIRF AND STATE DEPARTMENT IMPLEMENTATION OF IRFA

Individuals Referenced in the Annual Report as Detained, Jailed or Disappeared on Account of Religious Beliefs and/or Activities (This list reflects only a small number of those detained, jailed, or disappeared)
Azerbaijan: Rufat Nuriyev, Nurani Mammadov and Fakhraddin Mirzayev
China: Gao Zhisheng, Wang Yonghang, Alimujiang Yimiti, Cao Nan, Qahar Mensur, Muhemmed Tursun, Yang Rongli, Wang Xiaoguang, Chen Zhenping, Fr. Li Huisheng, Fr. Joseph Zhang, Bishop Su Zhimin, Bishop Ma Daqin, Fan Yafeng, Jin Tianming, Yuan Ling, Zhang Xiaofeng, Li Xiaobai, Namkha Gyaltzen, Gedun Choekyi Nyima, Wang Xiaomei, Wang Xiaodong, Runggye Adak, Tenzin Delek Rinpoche, Liu Gang, Wei Jun, Liu Fengmei, Song Sheng
Eritrea: Patriarch Abune Antonios, Paulos Eyassu, Isaac Mogos, Negede Teklemariam
Ethiopia: Abubekr Ahmed, Kamil Shemsu, Yassin Nuru, Sheikh Mekete Muhe, Bedru Hussen, Ahmeddin Jebel, Ahmed Mustefa, Sheikh Sultan Amam, Jemal Yasin, Yusuf Getachew
Iran: Saeed Abedini, Farshid Fathi, Behnam Irani, Ayatollah Mohammad Kazemeini Boroujerdi, Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, Vahid Tizfahm Mahmoud Badavam, Noushin Khadem, Farhad Sedghi, Riaz Sobhani, Ramin Zibaie, Kamran Mortezaie, Faran Hessami, Kamran Rahimian, Shahin Negari, Kayvan Rahimian
Kazakhstan: Vadim Kuramshin
Pakistan: Hazrat Ali Shah, Sufi Ishaque, Soofi Mohammad Ishaq, Abdul Sattar, Rafiq, Wajihul Hassan, Malik Muhammad Ashraf, Malik Ashraf, Abdul Sattar, Aasia Noreen, Muhammad Shafeeq Latif, Liaqat, Muhammad Shafiq, Abdul Hameed, Anwar Kenneth, Wajihul Hassan aka Murshid Masih, Manzarul Haq Shah Jahan, Muhammad Mushtaq alias Masta, Muhammad Yousaf, Imran Ghafoor, Muhammad Ishaq, Mohammad Shafi, Muhammad Safdar, Muhammad Shafi, Muhammad Aslam, Imran Masih, Ruqiya Bibi, Abdul Kareem, Inayat Rasool, Arif Mahdi, Shamas ud Din, Maqsood Ahmad, Muhammad Shahzad, Muhammad Yousaf, Rehmat Ali
Russia: Maria Alyokhina, Inur Khafizov, Ramil Latipov, Ilhom Merazhov, Komil Odilov, Nakiya Sharifullina, Nadezhda Tolokonnikova
Saudi Arabia: Hamza Kashgari, Raif Badawi, Turki al-Hamad
Turkmenistan: Nurmuhamed Agaev, Zafar Abdullaev, Muhammed Rahim Muhammedov, Mahmud Hudaybergenov, Navruz Nasyrlyayev, Juma Nazarov, Davran Matyakubov, Yadgarbek Sharipov, Matkarim Aminov, Arslan Dovletov
Uzbekistan: Akram Yuldashev, Gayrat Khusanov, Shuhrat Yunusov, Abdubannob Ahmedov, Mehriniso Hamdamova, Zulkhumor Hamdamova, Shahlo Rakhmonova, Khruilla Khamidov
Vietnam: Fr. Nguyen Van Ly, Le Quoc Quan, Kpa Y Co, Ksor Y Du, Kpuil Mel, Kpuil Le, Nay Y Nga, Runh, Jonh, Byuk, Nguyen Cong Chinh, Mai Thi Dung, Nguyen Trung Ton, Nguyen Van Lia, Tran Hoai An, Thich Quang Do, Bui Van Tham, Phan Ngoc Tuan, Thuy Vo Thi Thu

TRAINING

IRFA calls for American diplomats to receive training on how to promote religious freedom effectively around the world. In the past few years, training for Foreign Service Officers on issues of religious freedom has increased, but remains voluntary. During this reporting period, the Foreign Service Institute (FSI) continued to offer a policy seminar entitled *Engaging Communities of Faith to Advance Policy Objectives* and a three-day course on *Religion and Foreign Policy*. USCIRF staff was invited to speak to these classes about the role of the Commission, and also has been invited regularly to regional studies classes to discuss the Commission's findings on countries of interest. FSI also continues to hold its annual "Appeal of Conscience" gathering, organized by Rabbi Arthur Schneier, with panels of religious figures and diplomats. While USCIRF welcomes these initiatives, these courses remain optional and are not yet part of the core curriculum for all diplomats in training.

To ensure that U.S. diplomats, service members, and military chaplains are adequately equipped to deal with issues of religious freedom in the field, USCIRF recommends that all diplomats at the Foreign Service Institute and relevant members of the military receive training on the importance of religious freedom and practical ways to best promote this freedom as an aspect of U.S. foreign policy.

Training on religious freedom issues in the military education system remains minimal, despite the many schools, military service colleges, and universities providing professional military education. None have a specific focus on training on international standards of freedom of religion or belief. Overall, professional military education at the various service colleges should be expanded to include religious freedom as a topic, to ensure U.S. service members are mindful of these standards when engaging or partnering with religious leaders or local government officials and understand the value of religious freedom in countering violent religious extremism. For the chaplaincy corps, the Army has created the Center for World Religions, which is a small U.S. Army Chaplain Corps Directorate co-located at the Armed Forces Chaplaincy Center in Ft. Jackson, South Carolina. Expanding its capability to train on religious freedom standards, as well as other matters concerning religious issues, could fill a void in joint and inter-agency planning. In addition, the curriculum of the Armed Forces Chaplaincy Center should be expanded so chaplains involved in religious leader liaison are better equipped to understand religious freedom standards in the context of human rights and stability operations.

ADMISSIBILITY TO THE U.S. OF SEVERE VIOLATORS OF RELIGIOUS FREEDOM

Another IRFA issue relevant to both the State Department and the Department of Homeland Security (DHS) relates to the admission to the United States of aliens who were "responsible for or directly carried out...particularly severe violations of religious freedom." IRFA bars the entry of such individuals. This provision has been invoked only once: in March 2005, it was used to exclude Chief Minister Narendra Modi of Gujarat state in India due to his complicity in the 2002 riots that resulted in the deaths of an estimated 1,100 to 2,000 Muslims. USCIRF had urged such an action.

USCIRF continues to urge the Departments of State and Homeland Security to develop a lookout list of aliens who are inadmissible to the United States on this basis. USCIRF wrote to Secretary Clinton in 2012 about the possibility that Chief Minister Modi might apply for a visa, to reiterate USCIRF concerns about his admissibility to the United States. Directly related to identifying and barring from entry such severe religious freedom violators, IRFA also requires the President to determine the specific officials responsible for violations of religious freedom engaged in or tolerated by governments of CPCs, and, "when applicable and to the extent practicable," publish the identities of these officials in the Federal Register. Despite these requirements, no individual officials from any CPC countries responsible for particularly severe religious freedom violations have been identified to date.

**ENGAGING THE U.S. EXECUTIVE BRANCH, CONGRESS, AND FOREIGN GOVERNMENTS
ON RELIGIOUS FREEDOM**

During the reporting period, USCIRF played an active role in raising awareness of religious freedom concerns with the Executive branch of the U.S. government. USCIRF had face-to-face meetings with a range of government representatives and wrote to U.S. officials, including President Obama and Secretary of State Clinton. USCIRF also engaged with representatives of foreign governments in Washington, D.C., including, in preparation for this Annual Report, writing to the embassies of countries covered in the previous year's report to request information relevant to their laws and policies affecting freedom of religion or belief. USCIRF's work with Congressional offices on both sides of the aisle has resulted in the incorporation of its findings and policy recommendations into many bills, resolutions, and letters from Members of Congress. USCIRF also is a regular source of information, counsel, and insight for many committees and Members of Congress.

For the 2013 Annual Report, USCIRF wrote 24 embassies inviting submissions for USCIRF to consider regarding the status of religious freedom in their countries. The following embassies sent responses: Bangladesh, Burma, Tajikistan, Turkey, Uzbekistan, and Vietnam.

A list of selected USCIRF activities and statements can be found in the appendix.

TIER 1

Countries of Particular Concern

BURMA*

CHINA*

EGYPT

ERITREA*

IRAN*

IRAQ

NIGERA

NORTH KOREA*

PAKISTAN

SAUDI ARABIA*

SUDAN*

TAJIKISTAN

TURKMENISTAN

UZBEKISTAN*

VIETNAM*

*Countries officially designated as CPCs by the U.S. Department of State

EGYPT



USCIRF STATUS:

Tier 1 Country of Particular Concern

BOTTOM LINE:

Despite some progress during a turbulent political transition, the Egyptian government has failed or been slow to protect religious minorities, particularly Coptic Orthodox Christians from violence. It continues to prosecute, convict, and imprison Egyptian citizens, including Copts and dissenting Muslims, for “contempt” or “defamation” of religion. The newly-adopted constitution includes several problematic provisions relevant to religious freedom and related human rights.

EXECUTIVE SUMMARY

FINDINGS: During the reporting period, the Egyptian transitional and newly elected governments have made some improvements related to freedom of religion or belief and there was positive societal progress between religious communities. Nevertheless, during a February 2013 visit to Egypt, USCIRF found that the Egyptian government continued to engage in and tolerate systematic, ongoing, and egregious violations of freedom of thought, conscience and religion or belief. Despite a significant decrease in the number of fatalities and injuries from sectarian violence during the reporting period, Coptic Orthodox Christians, and their property, continued to experience sustained attacks. In many cases, the government failed or was slow to protect religious minorities from violence. This violence and the failure to convict those responsible continued to foster a climate of impunity. Egyptian courts continued to prosecute, convict, and imprison Egyptian citizens charged with “contempt” or “defamation” of religion. In some instances, disfavored Muslims faced harassment, detention, and imprisonment by government authorities. Egypt’s newly adopted constitution, which has been widely criticized, includes several problematic provisions related to freedom of religion or belief and related rights. Implementation of previous court rulings—related to granting official identity documents to Baha’is and changing religious affiliation on identity documents for converts to Christianity—has seen some progress but continues to lag, particularly for Baha’is. In addition, the government has not responded adequately to combat widespread and virulent anti-Semitism in the government-controlled media.

It is unclear how much the current government could do to effectively address the ongoing violence and continuing climate of impunity in the country even if it had the genuine desire to do so. During the past year, the lack of adequate security in the streets continued to contribute to lawlessness in parts of the country, particularly in Upper Egypt. Sectarian and other forms of violence continue regularly, and discriminatory and repressive laws and policies restricting freedom of thought, conscience and religion or belief in Egypt remain in place.

Based on these concerns, USCIRF again recommends in 2013 that Egypt be designated as a “country of particular concern,” or CPC, for systematic, ongoing, and egregious violations of religious freedom. In 2011, USCIRF, for the first time, recommended that Egypt be designated a CPC. Before that, Egypt had been on USCIRF’s Watch List since 2002.

PRIORITY RECOMMENDATIONS: Egypt continues to experience both progress and setbacks during its transition, the success of which hinges on full respect for the rule of law and compliance with international human rights standards, including freedom of religion or belief. The U.S. government should press the Egyptian government to prosecute perpetrators of sectarian violence and to prevent responsibility for religious affairs from falling under the jurisdiction of the domestic security agency. In addition, the United States should more actively press the Egyptian government to undertake reforms to improve religious freedom conditions, including repealing decrees banning religious minority faiths, removing religion from official identity documents, and accelerating the passage of a law for the construction and repair of places of worship. The U.S. government should not certify the disbursement of military assistance to Egypt until the Egyptian government demonstrates that it is using funds appropriated through the Foreign Military Financing Program to implement policies that protect freedom of religion and related human rights in Egypt. In addition, the U.S. government should urge the Egyptian government to ensure that its police assess security needs and develop and implement an effective plan for dedicated police protection for religious minority communities and their places of worship. Additional recommendations for U.S. policy towards Egypt can be found at the end of this chapter.

RELIGIOUS FREEDOM CONDITIONS

USCIRF FEBRUARY 2013 VISIT

In February 2013, a USCIRF delegation traveled to Cairo to assess the Egyptian government’s progress on policies and practices related to freedom of religion or belief. The delegation met with high-level Egyptian officials, including the Minister of Justice, the Assistant Minister for Foreign Affairs, a Senior Advisor to President Morsi, the Director General of the National Council for Women, and a senior official at Al-Azhar. The delegation also met with a senior bishop from the Coptic Orthodox Church, Protestant and Catholic leaders, former Members of Parliament and the Constituent Assembly, and representatives from religious minority communities. In addition, the delegation met with the U.S. Ambassador and Embassy staff.

POSITIVE DEVELOPMENTS

The USCIRF delegation noted several positive societal developments during the transition. Christian communities—including Coptic Orthodox, Protestant, Catholic, and other groups—have started to organize with both opposition groups and representatives from Al-Azhar to counter religious extremism. Previously, Christians infrequently participated in various civil and political activities; however, many Christian churches have urged community members to be active in the democratic transition of a new Egypt. In February 2013, Christian groups came together to form for the first time ever an Egyptian Council of Churches.

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In addition, many diverse interlocutors expressed positive views of the moderating role Al-Azhar has played since the January 2011 revolution. During the reporting period, Al-Azhar University spearheaded initiatives and published statements expressing support for freedom of religion or belief in Egypt. In January 2012, Al-Azhar Grand Sheikh Ahmed Al-Tayeb put forward a “Bill of Rights” that discussed the importance of freedom of belief and expression, among other things, ahead of the drafting of the constitution. The statement asserted that “freedom of belief” and equal citizenship rights for all Egyptians are the cornerstones of a new modern society. The Grand Sheikh undertook a number of additional efforts, including interfaith dialogue initiatives, aimed at unifying the various religious communities and countering extreme Islamist views. For example, in 2012 Al-Azhar formed an umbrella organization, “The Family Home,” to foster interfaith harmony with Christians.

Furthermore, over the past two years, the government began to re-open more than 50 existing churches that had been closed, in some cases for years. In the aftermath of the October 2011 Maspero violence, the transitional government took steps to reduce discrimination by issuing a decree amending Egypt’s Penal Code to prohibit discrimination on the basis of religion, gender, language, faith, or race. These included more severe penalties for government officials found to be complicit in discrimination. During USCIRF’s visit, officials stated that three drivers of military vehicles that ran over and killed at least 12 protestors during the Maspero violence were convicted and sentenced to prison terms, although the length of the prison terms and whether the three are in fact imprisoned remains unclear. In addition, officials claimed that an anchorperson on a government-controlled TV channel who allegedly incited violence against Coptic Christians during the Maspero incident was dismissed from her post.

EGYPT

ONGOING DEMOCRATIC TRANSITION

Nevertheless, during USCIRF's visit, the majority of non-governmental interlocutors expressed little optimism about the country's short-term trajectory under President Mohamed Morsi. Many expressed concern that the Morsi government has not been inclusive of or taken seriously the views of the liberal and secular opposition. The most common concerns relating to religious freedom focused on: increasing radicalization in society that negatively affects women and religious minorities; troubling provisions in the new constitution that limit religious freedom and other rights; and frustration about the continuing climate of impunity for numerous acts of violence – including those targeting Coptic Christians – since the beginning of the revolution two years ago.

In January 2012, the Supreme Council of Armed Forces (SCAF) announced it would be lifting the Emergency Law except in cases of “thuggery,” although it did not define that term. Because Egypt has long operated under a state of emergency, the government has had the option to hear cases involving terrorism or drug trafficking in state security courts rather than criminal courts. Finally on May 31, the State of Emergency expired and the Emergency Law was lifted completely. The Emergency Law restricted many human rights, including freedom of religion or belief, as well as freedom of expression, assembly, and association.

In May 2012, the first round of voting began in Egypt's presidential elections. In late June 2012, Mohamed Morsi, a former member of the Muslim Brotherhood, won the presidency in a second run-off against challenger and former member of the Mubarak government Ahmed Shafiq. Despite some irregularities, the presidential elections were hailed as the most free and fair in modern Egyptian history. On June 14, 2012, the SCAF formally dissolved the People's Assembly, the lower house of parliament. An election for a new People's Assembly may occur during the second half of 2013. During USCIRF's visit, Egyptian government officials asserted that much progress has been made despite an arduous and difficult transition. Officials cited free and fair presidential and parliamentary elections, the acceptance of a new constitution, and the emergence of a new democratic political system that will take time to implement.

THE CONSTITUTIONAL PROCESS AND A NEW CONSTITUTION

In April 2012, the SCAF dissolved the first Constitutional Assembly (CA) to draft the country's constitution after an administrative court ruled the CA unconstitutional because members of parliament voted some parliamentarians into the CA. In addition, critics had said that the CA was not representative of the Egyptian population, particularly women and minorities. In June, the People's Assembly elected a new CA, again including several parliamentarians, but this time the CA was permitted to continue its work despite another court case being lodged. Critics complained that the second CA also was not representative, and eventually in November, representatives of liberal and opposition parties, Christians, and members from Al-Azhar withdrew from the body. During the USCIRF delegation's 2013 visit, some former CA members stated that conservative elements hijacked the process of drafting the constitution. Despite this, alternate members were added to the CA in November and the body produced a 234-article constitution and approved it on November 30. In December, the constitution was passed by referendum by approximately 64% of the vote, with about one-third of eligible voters participating.

EGYPT

During USCIRF's visit, interlocutors expressed concern about a number of articles in the constitution that may negatively impact freedom of religion or belief.¹ Almost all were most worried about Article 219, which defines Islamic Shari'ah in narrow terms that may marginalize some Muslim schools of thought. Christians also were concerned that Article 219 could infringe on their rights. Most interlocutors supported Article 2, which is holdover language from the 1971 constitution, and states that "The principles of Islamic Shari'a are the principal source of legislation." However, Article 4, when read in conjunction with Article 2, potentially gives Al-Azhar scholars a consultative role in reviewing religiously-significant legislation. Human rights groups have stated emphatically that only the Supreme Constitutional Court should be designated with this role, not a religious body.

Depending on how it is interpreted, Article 43 could be especially problematic. It states: "Freedom of belief is an inviolable right. The State shall guarantee the freedom to practice religious rites and to establish places of worship for the divine religions, as regulated by law." Article 43 has a number of flaws. Protections are limited to "rites" and places of worship; international standards protect a much broader range of activities and expression. Furthermore, because this concept of religious expression is limited to followers of the "divine" religions, followers of other religions, such as Baha'is, as well as atheists and agnostics, may be excluded from enjoying basic freedoms. Also, there is no mention of the right to change one's religion. During USCIRF's visit, government officials stated that Article 43 guarantees religious freedom for all Egyptian citizens, including Baha'is. However, some officials felt that Baha'is would need to test this freedom in court, since the Baha'i faith is not one of the religions the constitution specifically references.

Articles 31, 44 and 45 also raised concern. Article 44 states that "insult or abuse of all religious messengers and prophets shall be prohibited." This ban is supported by Article 31, which says "[i]nsulting or showing contempt toward any human being shall be prohibited." These are impermissible limitations on freedom of expression under international human rights law. Article 45 states: "Freedom of thought and opinion shall be guaranteed. Every individual has the right to express an opinion and to disseminate it verbally, in writing or illustration, or by any other means of publication and expression." However, the language in the Articles 44 and 31 appears to limit this provision. Egyptian officials were unequivocal in their support for Article 44, stating that there are consequences for insulting or injuring the religious feelings of others, thereby in essence affirming the criminalization of "defamation of religion."

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GOVERNMENT CONTROL OF ISLAMIC INSTITUTIONS

As it did during the Mubarak era, the government maintains control over all Muslim religious institutions, including mosques and religious endowments, which are encouraged to promote an officially sanctioned interpretation of Islam. According to Egyptian officials, the government regulates these Muslim institutions and activities to prevent religious extremism and terrorism. The state appoints and pays the salaries of all Sunni Muslim imams, requires all mosques to be licensed by the government, and monitors sermons.

¹ In December 2012, USCIRF released an analysis of several problematic provisions in the new constitution, which is available here:
<http://www.uscifr.gov/images/Egyptian%20Draft%20Constitution%20Analysis%20of%20Provisions%201272012.pdf>

EGYPT

NEW INDEPENDENCE FOR AL-AZHAR

Al-Azhar is one of the preeminent Sunni Muslim centers of learning in the world. Former president Hosni Mubarak appointed the Grand Sheikh of Al-Azhar, Ahmed Al-Tayeb, in 2010. The Islamic Research Center (IRC) of Al-Azhar is empowered by law to censor and, since 2004, to confiscate any publications dealing with the Qur'an and *hadith* (oral traditions). In recent years, the IRC has ruled on the suitability of non-religious books and artistic productions. Al-Azhar also has the legal right to recommend confiscations, but must obtain a court order to do so. In January 2012, before the People's Assembly convened for the first time, the SCAF passed a law mandating that the Grand Sheikh be elected by Al-Azhar's Senior Scholars Authority rather than chosen by the president of the country. Such a system of election previously was in force before 1961. In addition, in February 2013, the Senior Scholars Authority elected a new Grand Mufti, Shawki Ibrahim Abdel-Karim. Previously, the Grand Mufti was appointed by the president, another change of the law amended by the SCAF.

During the Mubarak regime, the Egyptian government consulted Al-Azhar on a wide range of religious issues affecting Muslims in the country. Over the years, clerics and scholars at Al-Azhar have issued discriminatory *fatwas* (religious edicts) and delivered controversial sermons about some non-Muslim faiths, particularly the Baha'i faith, as well as disfavored or dissenting Muslims. Non-Muslims are prohibited from attending Al-Azhar University.

During the past year, Sheikh Al-Tayeb reportedly made disparaging public comments about Shi'i Muslim places of worship and the spread of Shiism in Sunni Muslim countries.

CONTEMPT OF RELIGIONS AND VIOLATIONS AGAINST NON-MUSLIMS AND DISFAVORED MUSLIMS

Article 98(f) of Egypt's Penal Code prohibits "contempt" or "defamation" of religions by criminalizing "any use of religion to promote or advocate extremist ideologies...with a view toward stirring up sedition, disparaging or showing contempt for any divinely revealed religion, or prejudicing national unity and social harmony." In the past, this provision has been used to detain and prosecute individuals and members of religious groups whose practices deviate from mainstream Islamic beliefs or whose activities are alleged to jeopardize "communal harmony" or insult the three "heavenly religions": Judaism, Christianity, and Islam. Other provisions of the penal code also address various forms of religious insult.

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For example, Article 161 prohibits the printing and dissemination of deliberately distorted religious texts for state-protected religions (Islam, Christianity, and Judaism), and also criminalizes the mocking or ridicule of religious ceremonies in public. Article 176 punishes public incitement and holding a religious community in hatred or contempt.

During USCIRF's visit, some Egyptian officials stated that if individuals in Egypt make statements publicly that "injure" or insult the religious feelings of others, there should be consequences, including criminal prosecution. However, appeals courts have sometimes reversed such convictions, as in the case of famous Egyptian actor Adel Imam. In September 2012, a court overturned Imam's conviction for defaming Islam in several of his films, for which he had been sentenced to three months in prison.

During the transition, there has been an increase of "contempt of religion" cases affecting both Muslims and Coptic Christians. In October 2011, a Cairo criminal court sentenced Ayman Yousef Mansour, a Christian, to three years in prison for insulting Islam and the Prophet Muhammad on a Facebook page he allegedly created. His 2012 appeal was rejected and he remains in prison. Gamal Abdou Masoud, a 17-

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year-old Coptic Christian youth, was sentenced to three years' imprisonment in January 2012 reportedly because he was tagged on Facebook in a picture that allegedly criticized the Prophet Muhammad. In September 2012, an Egyptian court upheld the conviction and three-year prison sentence for Coptic teacher Bishoy Kameel for posting cartoons defaming the Prophet Muhammad on Facebook. In December, an Egyptian court convicted and sentenced to three years in prison atheist activist Alber Saber on extremism charges for his posting of online content that allegedly "insulted God and cast doubt on the books of the Abrahamic religions" and "denied the existence of God and his creation of mankind." After Saber's release on appeal, he reportedly fled the country in late January 2013. In November, an Egyptian court convicted in absentia seven Egyptian expatriate Copts – allegedly associated with the "Innocence of Muslims" online film – and sentenced them to death for harming national unity, insulting and publicly attacking Islam, and spreading false information. The Grand Mufti upheld their death sentences in January 2013. A Salafi cleric, Abu-Islam Ahmed Abdullah, awaits trial for allegedly insulting Christianity and burning a Bible in September 2012.

Over the years, the small Shi'i Muslim community has faced periodic discrimination, harassment, arrests, and imprisonment. For example, in July 2012, Mohamed Asfour, a Shi'i teacher, reportedly was sentenced to one year in prison, reduced from three years, for contempt of religion and "desecration of a place of worship," although Asfour's lawyer says he was found guilty solely for praying in a mosque according to Shi'i rituals. In January 2012, Egyptian authorities reportedly closed the Shi'i Hussein mosque in Cairo to prevent Shi'i Muslims from observing Ashura.

EXTREMISM AND INCITEMENT TO VIOLENCE IN MEDIA AND GOVERNMENT-FUNDED MOSQUES

The Muslim Brotherhood and other Islamist groups have used violence in the past to achieve their aims. The Muslim Brotherhood publicly renounced violence in the 1970s. Under the Mubarak regime, Egyptian security forces arrested hundreds, if not thousands, of suspected Islamists every year, and some were subject to torture and/or prolonged detention without charges.

IN THE MONTHS LEADING UP TO THE JUNE 2012 PRESIDENTIAL ELECTIONS, AN INCREASE IN INCITEMENT TO VIOLENCE IN EGYPTIAN MEDIA AND GOVERNMENT-FUNDED MOSQUES EXACERBATED SECTARIAN TENSIONS BETWEEN MUSLIMS AND CHRISTIANS.

Human rights activists inside Egypt remain concerned that radical groups continue to advance in the country, with detrimental effects on the ability to foster an open civil society, the prospects for genuine democratic reform, or improvements in freedom of religion or belief. During the transition period, crime and lawlessness in Egypt has increased due to a decrease in police and security presence. Some extremist militant groups have used this lapse to impose extra-judicial punishments. During the early months of the transition, Sufi Muslims experienced increased attacks and harassment by Islamist militant groups, which deem as heretical a number of Sufi religious practices, including the veneration of saints.

In the months leading up to the June 2012 presidential elections, an increase in incitement to violence in Egyptian media and government-funded mosques exacerbated sectarian tensions between Muslims and Christians. There was another spike in September 2012 after the surfacing on the Internet of an anti-Muslim film, "Innocence of Muslims," resulted in protests at the U.S. Embassy in Cairo. Islamist clerics and some Gulf-funded satellite television stations used the film as an opportunity to denounce and demonize Coptic Christians, including a prominent Salafi cleric who publicly defiled and ripped a Bible. Intolerance of Jews and Baha'is also continued to appear in both independent and government-controlled

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media. In February 2012, a Salafi leader in Alexandria, Abdel Moneim al-Shahat, publicly stated on the al-Haqiqa television program on the Dream TV satellite station that Baha'is should be prosecuted for treason because they are apostates and are not entitled to any rights in Egypt.

During the reporting period, there continued to be reports of imams in mosques espousing incitement and anti-Christian hatred. During the year, some imams in mosques incited large crowds to oppose and/or prevent the building and maintenance of churches, particularly in Upper Egypt, resulting in violence and destruction of Christian property.

VIOLENCE TARGETING CHRISTIANS

The number of fatalities and injuries from sectarian violence in 2012 decreased significantly from 2011, although there continued to be periodic attacks and destruction of property. In most cases, perpetrators have not been convicted. In other cases, alleged perpetrators have been detained for short periods but eventually released without charge.

Perpetrators of past sectarian attacks affecting predominantly Copts but also some Muslims, such as in Alexandria in January 2011, Imbaba in May 2011, and Maspero in October 2011, have gone unpunished. During USCIRF's 2013 visit, Egyptian officials stated that three drivers of military vehicles that killed at least 12 protestors at Maspero were convicted and sentenced to prison terms. In addition, officials claim that an anchorperson who allegedly incited violence on government-controlled television against Copts at Maspero was dismissed from her post. However, several Egyptian officials also asserted that violence experienced by Copts was not a sectarian problem, or one facing just Copts, but one that affects all Egyptians. Egyptian human rights groups and Christian activists refute this claim. Egyptian officials noted that some of the investigations from past incidents have produced insufficient evidence to prosecute perpetrators. Nevertheless, impunity has been a recurring problem for many years, and the new government installed since the revolution has not moved adequately to address the issues of justice and accountability.

The ongoing violence, and the inability to prosecute successfully those responsible, continued to foster a climate of impunity, especially in Upper Egypt. In recent years, in response to sectarian violence, Egyptian authorities have conducted "reconciliation" sessions between Muslims and Christians as a way of easing tensions and resolving disputes. In some cases, reconciliation sessions have been abused by local authorities and Muslim and Christian religious leaders to compel victims to abandon their claims to any legal remedy.

During the reporting period, there were several incidents where Christians in various parts of the country fled their homes out of fear of extremist threats and attacks. For example, in August 2012, in the Dahshur village in Giza, a dispute between a Christian and Muslim at a dry-cleaning business after the Muslim man's shirt was accidentally burned resulted in the death of one Muslim man and more than a dozen Muslims and Christians injured. Several Coptic-owned homes and businesses were destroyed and nearly all of the Christian families living in the village fled, fearing reprisal attacks. While most have since have returned with the assistance of security officials, some families have not. According to reports, families impacted by the attacks were compensated. Despite President Morsi ordering a criminal investigation into the violence in Dahshur, there have been no prosecutions to date.

According to human rights groups, in one of the two cases of sectarian violence in which prosecutors brought charges in 2012, in May, an emergency state security court in Minya sentenced 12 Christians to life in prison. The court also acquitted eight Muslim defendants. The case arose from clashes between Muslims and Christians in April 2011 in the nearby towns of Abu Qurqas and al-Fekria. The violence left two Muslims dead, scores of Christian shops and homes burned, and several Muslims and Christians

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wounded. However, in December 2012, the verdict was annulled, and in January 2013 a criminal court began retrying the 12 Christians and eight Muslims. At the end of the reporting period, the retrial was ongoing.

A second prosecution followed a May 2011 riot in the Cairo neighborhood of Imbaba, in which Muslim residents assaulted two churches, triggering clashes that left more than 13 people dead and hundreds injured. In April 2012, the judge ordered the release of all defendants pending a ruling from the Supreme Constitutional Court on the constitutionality of the Emergency Law, which made emergency state security courts the competent courts for all trials referred during the state of emergency. On May 31, 2012 the state of emergency expired, ending the public prosecutor's authority to refer cases to state security courts. At least six sectarian-related cases had been referred to those courts in 2011 and 2012, and two other trials were ongoing from before 2011. In June, the public prosecutor ordered cases referred to emergency courts after January 2012 to be transferred to regular civilian courts, but did not do so for cases referred before that date. In effect, it appears that cases referred before 2012 will not be prosecuted.

DISCRIMINATION AGAINST CHRISTIANS

In addition to violence, Christians—who comprise approximately 10-15% of Egypt's population—face official and societal discrimination. Although Egyptian government officials claim that there is no law or policy that prevents Christians from holding senior positions, the Coptic Orthodox Christian community faces *de facto* discrimination in appointments to high-level government and military posts. There are only a few Christians in the upper ranks of the security services and armed forces. There are no Christian governors out of 27 in the country. There were only four Christian members on the Constituent Assembly before their withdrawal from the process. According to the State Department, public university training programs for Arabic-language teachers exclude non-Muslims because the curriculum involves the study of the Qur'an. Under Egyptian law, Muslim men can marry Christian women but Muslim women are prohibited from marrying Christian men. Additionally, neither Coptic men nor Coptic women may marry outside their faith. As a result, marriages between men and women across the two communities are often a source of societal tension between Muslims and Christians in Egypt.

For all Christian groups, government permission is required to build a new church or repair an existing one, and the approval process continues to be time-consuming and inflexible. In 2005, former President Mubarak devolved authority to approve the renovation and re-construction of churches from the president to the country's governors. Although several applications were submitted years ago during the Mubarak era, many did not receive a response. Even some permits that had been approved cannot, in fact, be acted upon because of interference by the state security services at both the local and national levels.

No churches were approved for new construction or repair in 2012, despite applications being submitted to governors, as currently required. During USCIRF's visit, Egyptian officials stated that the delay was due to the stalled discussions regarding the law regulating the establishment of places of worship. In 2011 and 2012, Egyptian officials stated that there had been progress on that law. However, after the People's Assembly was disbanded in 2012, Christian groups temporarily placed on hold negotiations about the draft law because they wanted it to be significantly revised. Some Christian interlocutors expressed preference to have a law that only governs churches, and not all places of worship. In all likelihood, until the election and seating of the People's Assembly later this year, there will be no progress on this issue.

During USCIRF's visit, several Christian interlocutors expressed concern about their difficulty in adopting children in Egypt. However, although Muslims may not adopt children, Egyptian family law preserves for Christians the right to adopt, but they cannot adopt a child unless it is established that the

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orphan child is of Christian parents. Egyptian officials stated this was not a religious issue, but a civil problem that could be remedied through a new law.

CONVERTS AND RECONVERTS TO CHRISTIANITY

Egyptian-born Muslims who have converted to Christianity cannot reflect their change of religious affiliation on identity documents, and in many cases, these converts also face intense social hostility. In past cases where converts have sued for the right to reflect their new religious affiliation on ID cards, Egyptian courts have ruled that Muslims are forbidden from converting from Islam based on principles of Islamic law because conversion would constitute a disparagement of the official state religion and entice other Muslims to convert.

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Regarding re-converts to Christianity, there remain systemic problems for individuals who converted to Islam and decided to convert back to Christianity to have this change reflected on identity documents. During USCIRF's 2013 visit, several interlocutors explained that despite a July 2011 law making it easier to reflect one's religion on ID cards—and not having to declare “formerly Muslim”—it still is difficult in practice to obtain identity cards.

In addition, during the reporting period, there continued to be claims about Muslim men forcing Coptic Christian women to convert to Islam. According to the State Department, such cases are often disputed and include “inflammatory allegations and categorical denials of kidnapping and rape.” During USCIRF's visit, several Christian sources stated that kidnapping of men was more common than kidnapping of women and girls. In addition, in most cases, incidents were not kidnappings but cases of girls converting to Islam voluntarily to marry young Muslim men and then seeking to return to Christianity when the relationship failed. Some reported that the girls' families were shamed by the conversions of their daughters and resorted to claiming kidnapping to hide the situation. Egyptian government officials stated that reporting of such cases was inaccurate and that they typically are the result of feuds between families in Upper Egypt. Nevertheless, some human rights groups continue to assert that there were also cases where Coptic Christian women were lured deceptively into marriages with Muslim men and forced to convert to Islam.

BAHA'IS

Before 1960, the Baha'i faith was recognized in Egypt. However, all Baha'i institutions and community activities were banned after 1960 by a presidential decree. As a result, the approximately 2,000 Baha'is who live in Egypt are unable to meet or engage in communal religious activities. Al-Azhar's Islamic Research Center has issued *fatwas* over the years, most recently in 2003, urging the continued ban on the Baha'i community and condemning Baha'is as apostates.

Intolerance of Baha'is has increased during the past year, particularly in the government-controlled media and in public statements made by prominent members of the Muslim Brotherhood and Salafi groups. For example, in July 2012 Mahmoud Ghozlan, a spokesman for the Muslim Brotherhood, said Baha'is are of “Zionist origin” and, thus, should not be protected under the constitution to practice their faith. In February 2012, Abdel Moneim al-Shahat, a prominent Salafi leader, stated publicly that Baha'is were a security threat undeserving of any rights in a new constitution, and should be tried for treason. Furthermore, in August, Gamal Abdel Rahim was appointed as chief editor of the state-controlled newspaper, Al-Ghomhurriya. Rahim was accused in 2009 of calling for the murder of a Baha'i activist on live television and inciting residents in Sohag to burn Baha'i homes. Three days after the program

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aired, arson destroyed several Baha'is houses in a Sohag village. In November 2012, and reiterated again in January 2013, the Minister of Education reportedly said in two separate media interviews that Baha'is cannot enroll their children in public schools because their faith is not among those protected by state law or the constitution. Article 43 of the new constitution does not permit Baha'is to build places of worship since the provision only cites the "divine religions," allowing only Muslims, Christians, and Jews to build places of worship. During USCIRF's visit, Egyptian government officials stated that Baha'is would have to test provisions in the new constitution in court to see if they could build places of worship or be recognized as an independent religion.

Baha'is who are married still cannot get identity cards, which makes it impossible to conduct everyday transactions such as banking, registering for school, and owning a car, among other things. Unmarried Baha'is can put a dash on ID cards in the space for religion.

ANTI-SEMITISM AND THE JEWISH COMMUNITY

In 2012, material vilifying Jews with both historical and new anti-Semitic stereotypes continued to appear regularly in the state-controlled and semi-official media. This material includes anti-Semitic cartoons, images of Jews and Jewish symbols that reference Israel or Zionism, comparisons of Israeli leaders to Hitler and the Nazis, and Holocaust denial literature.

IN 2012, MATERIAL VILIFYING JEWS WITH BOTH HISTORICAL AND NEW ANTI-SEMITIC STEREOTYPES CONTINUED TO APPEAR REGULARLY IN THE STATE-CONTROLLED AND SEMI-OFFICIAL MEDIA.

Egyptian authorities have not taken adequate steps to combat anti-Semitism in the media, despite official claims that they have advised journalists to avoid anti-Semitism. Egyptian officials claim that anti-Semitic statements in the media are a reaction to

Israeli government policy toward Palestinians and do not reflect historical anti-Semitism. Human rights groups cite persistent, virulent anti-Semitism in the education system, which increasingly is under the influence of Islamist extremists, a development the Egyptian government has not adequately addressed.

In January 2013, anti-Semitic comments made by President Morsi in 2010 – before he was elected president – came to light. President Morsi had urged Egyptians to “nurse our children and grandchildren on hatred for Jews and Zionists,” and in another interview that year he referred to Jews as the descendants of “apes and pigs.” When the USCIRF delegation raised these comments during its February 2013 visit, Egyptian officials said President Morsi's comments were made before he was president and were taken out of context; in addition, officials did not distinguish between anti-Semitism and anti-Israeli policy and diverted the discussion to attacking the state of Israel.

The small remnant of Egypt's once sizeable Jewish community, now consisting of only approximately 50 people, owns communal property and finances required maintenance largely through private donations. In 2010, Egyptian authorities restored the Maimonides synagogue in Cairo, named after a 12th century rabbinic scholar.

JEHOVAH'S WITNESSES

A 1960 presidential decree banned all Jehovah's Witnesses activities. According to the State Department, there are between 1,000 and 1,500 Jehovah's Witnesses living in Egypt. While government interference into the activities of the small community has abated somewhat since former President Mubarak stepped down in 2011, Egyptian authorities continue to conduct surveillance and sometimes impede their private worship. The Egyptian government permits Jehovah's Witnesses to meet in private homes in groups of less than 30 people, despite the community's request to meet in larger numbers.

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For years, the Jehovah's Witnesses have pursued legal recognition through the court system. In December 2009, the Seventh Circuit Administrative Court handed down a verdict denying Jehovah's Witnesses legal status. The local community continues to appeal the verdict.

U.S. POLICY

For many years, U.S. policy toward Egypt had focused on fostering strong bilateral relations, continuing security and military cooperation, maintaining regional stability, and sustaining the 1979 Camp David peace accords. Successive administrations viewed Egypt as a key ally in the region. Until a few years ago, Egypt was the second largest recipient of U.S. aid; it now ranks fifth, behind Afghanistan, Iraq, Israel, and Pakistan. In recent years, including during the reporting period, the Obama administration and Congress have increased efforts to urge the Egyptian government to speed progress on economic and political reforms, including on human rights and religious freedom issues. During the past year, the relationship continued to encounter challenges, including due to Congress' suspension of additional economic aid announced by the Administration in early 2011 and its continuing concerns about the ongoing criminal trial of Americans working for democracy NGOs in Egypt.

P.L. 112-74, the Consolidated Appropriations Act of 2012, appropriated \$1.3 billion in Foreign Military Financing (FMF) assistance and \$250 million for Economic Support Fund (ESF) assistance. For the first time, the law required the Secretary of State to certify that the Egyptian government is using the funds appropriated through the FMF program to support "the transition to civilian government including holding free and fair elections" and "implementing policies to protect freedom of expression, association, and religion, and due process of law." The law also includes a national security interest waiver from the certification requirements. In March 2012, Secretary of State Clinton exercised the waiver on the basis of U.S. national security interests and the goal of maintaining the strategic partnership with Egypt. In recent years, only a small portion of U.S. assistance has supported initiatives in areas related to religious freedom, including funding for programs that work with Coptic and Muslim community groups in Upper Egypt, as well as support for NGOs that monitor the country's media for sectarian bias.

The administration proposed the same bilateral foreign operations appropriation request for Egypt in FY2013 that Egypt received in the previous three fiscal years (\$1.55 billion). However, some members of Congress have put on hold the implementation of new administration aid initiatives previously authorized by Congress, such as debt relief (\$450 million) and an Enterprise Fund (\$60 million). U.S. assistance reflects the recognition of Egypt's continued and crucial role in ensuring Arab-Israeli peace.

In December 2011, Egyptian authorities raided the offices of four American and one European pro-democracy NGOs and confiscated materials from these offices. In January 2012, the Egyptian government announced criminal charges against 43 personnel, including 16 Americans. Defendants continue to face criminal charges and possible prison terms for working illegally in the country without a license and receiving and using unauthorized foreign funding. In 2011, the Obama administration reversed a controversial 2009 decision restricting USAID funding for Egyptian civil society to those organizations whose official NGO registration has been approved by the Egyptian government; previously, direct grants to registered Egyptian NGOs had to be vetted by the Egyptian government. As a consequence, many new Egyptian NGOs have not sought formal registration, and instead formed civil corporations, to avoid unnecessary government interference and oversight.

During the current reporting period, the U.S. government continued to highlight religious freedom concerns in Egypt through regular public statements and remarks. For example, in July 2012, the day after the rollout of the State Department's international religious freedom report, Secretary of State Clinton used a public event to express concern that religious freedom conditions in Egypt were "quite

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tenuous.” In September 2012, Deputy National Security Adviser Dennis McDonough stated in a public speech that there had been “a troubling rise in sectarianism and violence [and] innocent Egyptians, including Coptic Christians, have lost their lives.” He added, “Protecting religious freedom and religious minorities in Egypt is therefore a key element of our engagement with Cairo.” In addition, Secretary of State Clinton and Assistant Secretary of State for Democracy, Human Rights and Labor Michael Posner publicly raised religious freedom concerns during multiple visits to Egypt in 2012 and early 2013.

During the past year, several congressional resolutions were introduced during the 112th and 113th Congresses related to U.S. aid and human rights concerns in Egypt. These included H.R. 416 (the Egypt Accountability and Democracy Promotion Act), which limits specified security and economic assistance to Egypt unless the Secretary of State certifies to Congress every six months that the Egyptian government has implemented legal reforms that protect the political, economic, and religious freedoms and human rights of all citizens and residents of Egypt, among other things.

In July 2012, in its most recent International Religious Freedom report, the State Department again concluded that religious freedom conditions in Egypt remained poor – similar to the previous year’s conclusion – despite the ouster of former president Hosni Mubarak.

RECOMMENDATIONS

As described above, despite some progress, the Egyptian transitional government and the newly elected government under President Morsi have not sufficiently improved a number of concerns related to freedom of religion or belief. During the reporting period, violence targeting Coptic Orthodox Christians continued and the Egyptian government failed to convict those responsible for the violence. In addition, discriminatory laws and policies continue to negatively impact freedom of religion or belief in Egypt.

Accordingly, based on the Egyptian government’s systematic, ongoing, and egregious religious freedom violations, USCIRF is recommending for the third consecutive year that Egypt be designated a country of particular concern, or CPC.

The United States should press the Egyptian government to comply with international human rights standards by implementing a series of reforms to advance freedom of religion or belief and related human rights. In addition, pursuant to the Consolidated Appropriations Act of 2012 (P.L. 112-74), the U.S. government should not certify the disbursement of military assistance to Egypt until the Egyptian government demonstrates that it is using the funds appropriated through the Foreign Military Financing program to implement policies that protect freedom of religion and related human rights in Egypt.

I. IMPLEMENTING REFORMS IN ORDER TO COMPLY WITH INTERNATIONAL HUMAN RIGHTS STANDARDS

The U.S. government should urge the Egyptian government to:

- bring the new constitution in line with the internationally-recognized standards for freedom of religion and belief;
- address incitement to imminent violence and discrimination against disfavored Muslims and non-Muslims by:

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- prosecuting in regular criminal courts government-funded clerics, government officials, or individuals who incite violence against Muslim or non-Muslim minority communities or their individual members;
- disciplining or dismissing government-funded clerics who espouse intolerance;
- publicly and officially taking a clear stand against incitement to violence and discrimination by clerics and the government-controlled media against Muslim and non-Muslim minority communities, such as Shi'i Muslims, Qur'anists, and Baha'is; and
- urging Al-Azhar to rescind any previously issued fatwas that are discriminatory toward or incite violence against Muslim and non-Muslim minority communities alike;
- in consultation with religious minority communities, pass a law that would provide transparent, non-discriminatory, and efficient regulations regarding construction and maintenance of religious facilities, and continue to take special measures to preserve and restore Coptic Orthodox and other Christian properties and antiquities that have been subject to societal violence and official neglect;
- re-examine and restructure the use of reconciliation sessions as a fair mechanism towards the enhancement of national peace and interfaith understanding, and ensure that it is not used to bypass punishing perpetrators in accordance with the rule of law;
- establish a special unit in the Office of the Public Prosecutor dedicated to investigating acts of violence against Egyptian citizens on the basis of religion or belief, vigorously prosecuting and bringing to justice perpetrators, and ensuring compensation for victims;
- ensure the neutral and non-discriminatory application of laws according legal status and benefits to religious communities, even if one faith is declared as the official state religion;
- repeal 1960 presidential decrees banning members of the Baha'i faith and Jehovah's Witnesses from practicing their faiths, officially grant legal personality to these and other minority faiths, and permit these faiths to congregate in public places of worship without government interference;
- remove mention of religious affiliation from national identity documents;
- rectify adoption laws to remove any limitations or obstacles to the right of religious minorities to adopt;
- cease all messages of religious hatred and intolerance in the government-controlled media and take active measures to promote understanding and respect for members of minority religious communities;
- take all appropriate steps to prevent and punish acts of anti-Semitism, including by condemning anti-Semitic acts, and, while vigorously protecting freedom of expression, counteract anti-Semitic rhetoric and other organized anti-Semitic activities; and
- permit any Egyptian citizen to learn voluntarily the Coptic language in the public school system.

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II. ENSURING THAT RELIGION IS NOT POLITICIZED BY SECURITY AND JUDICIAL ENTITIES

The U.S. government should urge the Egyptian government to:

- ensure that *de facto* responsibility for religious affairs does not fall under the jurisdiction of the domestic security agency, with the exception of national security matters, such as espionage cases or cases involving the use or advocacy of violence, including conspiracy to commit acts of terror;
- consistent with the 2011 and 2012 resolutions of the UN Human Rights Council and the UN General Assembly on “combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion or belief,” revise Article 98(f) of the Penal Code, which prohibits “any use of religion to promote or advocate extremist ideologies...with a view toward stirring up sedition, disparaging or showing contempt for any divinely revealed religion, or prejudicing national unity and social harmony,” consistent with these resolution, and, in the interim, provide the constitutional and international guarantees of the rule of law and due process for those individuals charged with violating Article 98(f); and
- ensure respect for Al-Azhar’s independence.

III. WITHHOLDING MILITARY ASSISTANCE AND DIRECTING A TARGETED AMOUNT OF MILITARY AND ECONOMIC ASSISTANCE DURING EGYPT’S TRANSITION

In addition to designating Egypt as a CPC, the U.S. government should:

- not certify the disbursement of the appropriated \$1.3 billion in Foreign Military Financing (FMF) to Egypt until the Egyptian government demonstrates that it is using FMF funds to implement policies that protect freedom of religion and related human rights in Egypt;
- once the Egyptian government so demonstrates, urge the Egyptian government to ensure that its police assess security needs and develop and implement a comprehensive and effective plan for dedicated police protection for religious minority communities and their places of worship, particularly Coptic Orthodox Christians, Sufi and Shi’i Muslims, and Jews, in consultation with these communities’ representatives; and
- conduct or support specialized training, either in Egypt or abroad, for Egyptian military and police forces on human rights standards and non-lethal responses to crowd control and to quell sectarian violence.

The U.S. Congress should:

- require the Departments of State to report every 90 days on the Egyptian transitional government’s progress on the issues described in this section.

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IV. ENSURING U.S. GOVERNMENT AID PROMOTES GENUINE POLITICAL AND LEGAL REFORMS AND IS OFFERED DIRECTLY TO EGYPTIAN CIVIL SOCIETY GROUPS

The U.S. government should:

- provide direct support to human rights and other civil society or non-governmental organizations (NGOs) to advance freedom of religion or belief for all Egyptians;
- urge the Egyptian government to ensure that NGOs engaged in human rights work can pursue their activities without government interference, and monitor and report the extent to which this is accomplished; and
- expand support of initiatives to advance human rights, promote religious tolerance, and foster civic education among all Egyptians, including support for:
 - revising all textbooks and other educational materials to remove any language or images that promote enmity, intolerance, hatred, or violence toward any group of persons based on faith, gender, ethnicity, or nationality, and to include the concepts of tolerance and respect for human rights of all persons, including religious freedom, in all school curricula, textbooks, and teacher training;
 - civic education and public awareness programs that reflect the multi-confessional nature of Egyptian society and the diversity of Egypt's religious past;
 - efforts by Egyptian and international NGOs to review Egyptian educational curricula and textbooks for messages of hatred, intolerance, and the advocacy of violence; and
 - preserving and restoring Egyptian Jewish properties and antiquities in publicly accessible sites.

V. PROMOTING FREEDOM OF RELIGION AND BELIEF AND RELATED HUMAN RIGHTS IN MULTILATERAL FORA

The U.S. government should:

- call on the Egyptian government to comply with and fully implement recommendations from the UN Human Rights Council's February 2010 Universal Periodic Review of Egypt, including those related to freedom of religion or belief; and
- urge the Egyptian government to invite, provide specific dates, and admit UN special procedures mandate holders who are waiting for an invitation, including the UN Special Rapporteur on Freedom of Religion or Belief, the UN Special Rapporteur on Human Rights Defenders, and the UN Special Rapporteur on Torture.

IRAN



USCIRF STATUS:

Tier 1 Country of Particular Concern

BOTTOM LINE:

Already poor religious freedom conditions in Iran continue to deteriorate, particularly for religious minorities, especially Baha'is, Christians, and Sufi Muslims, as well as for dissenting Shi'i and Sunni Muslims. Harassment, arrests, and imprisonment intensified, a trend likely to worsen as the June 2013 presidential election approaches.

EXECUTIVE SUMMARY

FINDINGS: The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Iran is a constitutional, theocratic republic that discriminates against its citizens on the basis of religion or belief. During the past year, the already poor religious freedom conditions continued to deteriorate, especially for religious minorities, in particular for Baha'is as well as Christians and Sufi Muslims. Physical attacks, harassment, detention, arrests, and imprisonment intensified. Even some of the recognized non-Muslim religious minorities protected under Iran's constitution—Jews, Armenian and Assyrian Christians, and Zoroastrians—face harassment, intimidation, discrimination, arrests, and imprisonment. Majority Shi'i and minority Sunni Muslims, including clerics who dissent, were intimidated, harassed, and detained. Dissidents and human rights defenders were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of "waging war against God." Heightened anti-Semitism and repeated Holocaust denials by senior government officials and clerics continue to foster a climate of fear among Iran's Jewish community. Since the 1979 revolution, members of minority religious communities have fled Iran in significant numbers for fear of persecution.

Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF recommends in 2013 that Iran again be designated as a CPC.

Since the disputed 2009 elections, religious freedom conditions in Iran have regressed to a point not seen since the early days of the Islamic revolution. Killings, arrests, and physical abuse of detainees have increased, including for religious minorities and Muslims who dissent or express views perceived as threatening the legitimacy of the government. During the reporting period, the government continued to use its religious laws to silence reformers and critics, including women's rights activists, journalists, and lawyers for exercising their internationally-protected rights to freedom of expression and freedom of thought, conscience, and religion or belief. With the June 2013 presidential election approaching, the Iranian government will likely increase its efforts to crush any form of dissent and scapegoat religious minorities, as it has done in the past.

PRIORITY RECOMMENDATIONS: During the past year, U.S. policy on human rights in Iran included a combination of public statements, multilateral activity, and the imposition of unilateral sanctions on Iranian government officials for human rights violations. The U.S. government should continue to identify specific Iranian officials—including Supreme Leader Ayatollah Ali Khamenei and President Mahmoud Ahmadinejad—and entities responsible for severe human rights and religious freedom violations and impose travel bans and asset freezes on those individuals, while continuing to work with its European and other allies to do the same. USCIRF urges the U.S. government to continue to speak out vigorously, including in formal or informal bilateral or multilateral fora, about deteriorating human rights and religious freedom conditions, and to demand the release of all prisoners of conscience. Additional recommendations for U.S. policy toward Iran can be found at the end of this chapter.

RELIGIOUS FREEDOM CONDITIONS

HEIGHTENED CONCERNS SINCE THE JUNE 2009 DISPUTED ELECTIONS

The disputed June 2009 elections marked a decisive turning point in the human rights and religious freedom environment in Iran, as security and paramilitary forces used brutal force against the hundreds of thousands of Iranians who protested in the streets in the months after the elections. Dozens of Iranians have been killed and thousands have been arrested, convicted, and given lengthy prison terms. Hundreds remain in detention. More than two dozen dissidents have been executed, on a variety of charges, including alleged religious crimes such as “waging war against God,” “spreading corruption on earth,” and “moral corruption.” During the reporting period, the Iranian government brought national security cases against members of religious minority communities and individuals for alleged crimes such as “confronting the regime” and apostasy. In the run-up to the June 2013 presidential elections, Iranian security services will likely increasingly crack down on any form of public dissent, particularly by journalists, and scapegoat religious minorities.

GOVERNMENT STRUCTURE

The Constitution of the Islamic Republic of Iran proclaims the Twelver (Shi'i) Jaafari School of Islam to be the official religion of the country. All laws and regulations, including the Constitution itself, must be based on Islamic criteria. The head of state, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and directly controls the armed forces, the internal security forces, and the judiciary. The Supreme Leader is chosen by the Assembly of Experts, a group of 86 Islamic scholars elected by popular vote from a government-screened list of candidates. All legislation passed by the *Majles* (parliament) is reviewed for adherence to Islamic and constitutional principles by the Guardian Council, six of whose 12 members are appointed by the Supreme Leader. The Guardian Council also screens and disqualifies candidates for all elective offices, including the Assembly of Experts and the 290-member parliament, based on vague and arbitrary requirements, including candidates' ideological and religious beliefs. Disputes over legislation between the parliament and the Guardian Council are adjudicated by the Expediency Council, an advisory body appointed by the Supreme Leader. Five seats in the parliament are reserved for recognized religious minorities, two for Armenian Christians, one for Assyrian Christians, and one each for Jews and Zoroastrians.

MAJORITY AND MINORITY MUSLIMS

Over the past few years, the Iranian government has imposed harsh prison sentences on prominent reformers from the Shi'i majority community, many of whom have been tried on criminal charges of “insulting Islam,” criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards, for simply exercising their internationally-protected rights of freedom of expression and freedom of thought, conscience, and religion or belief. In early 2010, the Iranian government began convicting and executing reformers and peaceful protestors, including on the charge of *moharebeh* (waging war against God). Reportedly, more than two dozen individuals have been charged, convicted, and sentenced to death for *moharebeh*. Approximately 20 are known to have been executed.

SINCE THE JUNE 2009 ELECTIONS, THE
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Since the June 2009 elections, the government has stepped up its crackdown on Shi'i clerics, prohibiting them from publicly questioning the election results and from criticizing the government's response to demonstrations, while also targeting some for house arrest, detention without charge, trial without due

process, torture, and other forms of ill treatment. For example, during the reporting period, Ayatollah Ali-Mohammad Dastgheeb and Ayatollah Yusuf Saanei, both publicly critical of the regime's post-2009 crackdown, have been harassed and intimidated by authorities and had their properties vandalized by security agents.

In October 2006, Ayatollah Mohammad Kazemeini Boroujerdi, who advocates the separation of religion and state and has spoken out on behalf of the rights of Iran's religious minorities as well its Shi'i Muslim majority, was arrested and imprisoned without charge. He and 17 of his followers were sentenced to death on spurious charges, including "enmity against God" and spreading propaganda against the regime. After an appeal, the death sentence was withdrawn and Ayatollah Boroujerdi was sentenced to 11 years in prison. Ayatollah Boroujerdi remains in prison, and the government has banned him from practicing his clerical duties and confiscated his home and belongings. According to reports, Ayatollah Boroujerdi's health continues to deteriorate and he has suffered physical and mental abuse while in prison.

Sunni Muslims

Muslim minorities continue to face repression. Several of the country's ethnic minorities—Arabs, Baluchis, Kurds, and Turkmen—practice Sunni Islam. These groups are subject to discriminatory policies based on both their ethnic identity and their faith. Sunni Muslim leaders regularly are intimidated and harassed by intelligence and security services and report widespread official discrimination in government employment, particularly in leadership positions in the executive and judicial branches. Sunni Muslims comprise approximately 9% of Iran's population of nearly 80 million.

Sunni leaders report widespread abuses and restrictions on their religious practice, including detentions and abuse of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. In December 2011, Sunni Muslim members of parliament wrote to the Supreme Leader asking for an end to discrimination against Sunni Muslims and seeking permission to build a mosque in Tehran. The Sunni community still has not been able to build a mosque in Tehran and, in recent years, Sunni mosques were destroyed in eastern Iran near Zabol, Sistan-Baluchistan, and Mashhad. In recent years, dozens of Sunni clerics reportedly were arrested for spreading Sunni teachings, including in Kurdistan, Kermanshah, Baluchistan, West Azerbaijan, Ahvaz, Tavalesh, and Khorassan provinces.

Sufi Muslims

During the past year, arrests and harassment of Sufi Muslims increased significantly. Sufi Muslims—who come from the Shi'i Muslim tradition—face government repression of their communities and religious practices, including harassment and imprisonment of prominent Sufi leaders and the destruction of prayer centers and *hussainiyas* (places of worship). Since the 2011 denunciation of Sufis by some Shi'i clerics, government restrictions on Sufi groups and places of worship have become more pronounced.

DURING THE PAST YEAR, ARRESTS AND HARASSMENT OF SUFI MUSLIMS INCREASED SIGNIFICANTLY.

Over the past few years, authorities have detained hundreds of Sufi Muslims, particularly Nematollahi Gonabadi dervishes, sentencing many to imprisonment,

fines, and floggings. In September and October 2011, a Gonabadi dervish was killed and several were injured during a government crackdown in southwestern Iran, Fars province, during which the Basij militia arrested at least 60 Sufis. Seven remain in detention, including Hamidreza Moradi, Mostafa Daneshjou, Reza Entesari and four attorneys—Farshid Yadollahi, Amir Eslami, Afshin Karampour, and Omid Behruzi—who defended the dervishes in court. Three of the four attorneys continue to be held in

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Evin prison and were charged in late 2011 with insulting the Supreme Leader, “spreading lies,” and membership in a “deviant group.” According to human rights groups, the fourth attorney, Amir Eslami, has a serious heart condition and has been sent to the hospital for medical attention. In December 2012, the other six in detention reportedly were tried in a revolutionary court, some charged with “waging war against God,” a capital offense. By the end of the reporting period, their trial was ongoing.

Furthermore, during the reporting period Iranian state television aired a series of programs designed to denigrate and demonize Sufism, particularly the Nematollahi Gonabadi order. In January 2013, several prayer centers of the Gonabadi order have been demolished or attacked by Iranian authorities. Reportedly, the government is considering banning Sufism.

NON-MUSLIM RELIGIOUS MINORITIES

The constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over personal status matters (e.g., marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects their rights and status and they live, in effect, as second class citizens. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. In addition, their places of worship frequently are defaced with graffiti. Iran’s Ministry of Education administers their schools and they must use state-approved religious curriculum.

Non-Muslims may not engage with Muslims in public religious expression or persuasion; some also face restrictions on publishing religious material in Persian. The law provides for the collection of equal blood money for the death of Muslim and non-Muslim men, however, Baha’is, Sabeian Mandaean men, and all women remain excluded. According to Iranian law, Baha’i blood is *mobah*, which means members of the Baha’i faith can be killed with impunity.

Since the June 2009 elections, the Iranian government has intensified its campaign against non-Muslim religious minorities at a level not seen since the years immediately following the Iranian revolution in the early 1980s. Virulent and inflammatory statements by political and religious leaders continue with an increase in harassment and imprisonment of, and physical attacks against, these groups. In October 2010, Supreme Leader Ayatollah Ali Khamenei publicly stated that “enemies of Islam” are using the spread of Sufism, the Baha’i faith, and Christian house churches to weaken the faith of young people. Ayatollah Ahmad Jannati, head of the Guardian Council, referred to them as “sinful animals” and “corrupt.”

Baha’is

The Baha’i community has long been subject to particularly severe religious freedom violations. Iranian authorities view Baha’is, who number at least 300,000, as “heretics,” and repress them for “apostasy” and other baseless charges. Since 1979, the government has killed more than 200 Baha’i leaders and dismissed more than 10,000 from government and university jobs. Baha’is may not establish places of worship, schools, or any independent religious associations. In addition, Baha’is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining death certificates. Baha’i cemeteries, holy places, and community properties are often seized or desecrated, and many important religious sites have been destroyed. The Baha’i community faces severe economic

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pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from private sector employment.

During the past two years, Baha'is have faced increasingly harsh treatment, including increasing arrests and detentions and violent attacks on private homes and personal property. More than 650 Baha'is have been arbitrarily arrested since 2005. As of February 2013, at least 110 Baha'is are being held in prison solely because of their religious beliefs, twice the number held in early 2011. Throughout 2012 and early 2013, Baha'i-owned businesses and personal property were the target of arson attacks in several cities, with police doing nothing to find the perpetrators.

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Dozens of Baha'is are awaiting trial while others were sentenced to prison terms ranging from 90 days to several years. All of those convicted are reportedly appealing the verdicts. According to human rights groups, more than 500 Baha'is have active cases pending against them, despite having been released from detention. Also in recent years, Baha'i cemeteries in various parts of the country, including Tehran, Ghaemshahr, Marvdasht,

Semnan, Sari, Yazd, Najafabad, and Isfahan, have been desecrated, defaced, or in some way blocked to the Baha'i community. Over the past several years, numerous articles in the government-controlled newspaper *Kayhan*, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, and other media outlets have vilified and demonized the Baha'i faith and its community.

Iranian authorities have gone to great lengths in recent years to collect information on Baha'is and monitor their activities. During the reporting period, dozens of Baha'is were arrested throughout the country, including in Tehran, Babolsar, Karaj, Nazarabad, Shahrekord, Semnan, Mashhad, Bandar Abbas, Shiraz, and Ghaemshahr. In most of these cases, Ministry of Intelligence officials appeared at their homes, searched the premises and confiscated computers, books and other materials, and then made arrests. In most cases, no formal charges were filed.

According to a February 2013 report by the Special Rapporteur on the situation of human rights in Iran, more than 30 Baha'is were imprisoned in 2012 alone. Baha'is in the small town of Semnan have been particularly impacted, with approximately 35 Baha'is having been arrested and nearly 50 homes and businesses in Semnan have been either raided and ransacked or vandalized and destroyed. Eleven Baha'is from Semnan remain in prison. In September 2012, a five-month-old boy was imprisoned with his mother, who is serving a 23-month sentence. The infant was hospitalized outside the prison because of a lung disease caused by unsanitary prison conditions. Another woman is serving a 30-month sentence with her 10-month old boy. In December 2012, a third Semnan woman was imprisoned with her one-year-old child. At the end of the reporting period, all three women and their children remain in prison.

In February 2012, Iranian authorities raided several Baha'i homes in Shiraz, confiscated materials, and arrested at least 13 Baha'is. At the end of the reporting period, several of those arrested remain in detention.

In May 2011, in at least four different cities, Iranian authorities raided more than 30 homes and arrested 18 Baha'is involved with the Baha'i Institute for Higher Education (BIHE), the community's effort to educate its youth. Several Baha'is were released after days or weeks in detention, but in October 2011, seven were tried and found guilty of membership in a deviant sect with the goal of acting against national security. The seven were sentenced to either four- or five-year prison terms. In January 2012, Vahid Mahmoudi, one of the seven educators imprisoned, was released on probation after his sentence was suspended. The other six educators—Mahmoud Badavam, Noushin Khadem, Farhad Sedghi, Riaz Sobhani, Ramin Zibaie, and Kamran Mortezaie—remain in prison. In late 2011 and 2012, three

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additional BIHE instructors—Faran Hessami, Kamran Rahimian, Shahin Negari—were convicted and sentenced to four years in prison, and a fourth—Kayvan Rahimian—was convicted and sentenced to a five-year term. In September 2011, prominent human rights lawyer Abdolfattah Soltani was arrested for defending the Baha’i educators. In March 2012, a court sentenced him to 18 years’ imprisonment and banned him from practicing law for 20 years. In June, an appellate court upheld the conviction but reduced his sentence to 13 years.

Since 2008, seven Baha’i leaders—Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm—have been in jail based on an assortment of dubious charges, ranging from espionage to “corruption on the earth.” In August 2010, the seven were sentenced to 20 years in prison. The two women currently are held in Evin prison while the five men are held under appalling conditions in the notorious Gohardasht prison outside Tehran. Attorneys for the seven Baha’is, including Nobel Laureate Shirin Ebadi, have had extremely limited access to their clients and court proceedings.

Although the Iranian government maintains publicly that Baha’is are free to attend university, a *de facto* policy of preventing Baha’is from obtaining higher education remains in effect. Of the very few Baha’is who were enrolled in universities in recent years, most were expelled once their religious beliefs became known. Furthermore, young Baha’i schoolchildren in primary and high schools increasingly have been vilified, pressured to convert to Islam, and in some cases expelled on account of their religion.

In recent years, militant societal actors emboldened by Iranian law and policy have physically attacked Baha’i individuals and property with impunity. Since October 2010 in Rafsanjan, dozens of shops have been attacked and more than 20 Baha’i homes and businesses have received letters warning Baha’is of severe consequences for forming friendships with Muslims.

Christians

During the reporting period, Iranian authorities continued to raid church services, harass and threaten church members, and arrest, convict, and imprison worshippers and church leaders. Christians, particularly Evangelical and other Protestants, are subject to harassment, arrests, close surveillance, and imprisonment; many reportedly have fled the country. Assyrian and Armenian Christian religious leaders also have been targeted. Since becoming president, President Mahmoud Ahmadinejad has called for an end to the development of Christianity in Iran. The government requires Evangelical Christian groups to submit membership lists.

IN JANUARY 2013, SAEED ABEDINI, AN IRANIAN-BORN AMERICAN PASTOR, WAS SENTENCED IN A TRIAL WITHOUT DUE PROCESS TO EIGHT YEARS IN PRISON FOR “THREATENING THE NATIONAL SECURITY OF IRAN” FOR HIS ACTIVITY SINCE 2000 IN THE CHRISTIAN HOUSE CHURCH MOVEMENT.

Christian converts face severe restrictions on religious practice and association, arbitrary arrests and detentions for practicing their faith, and violations of the right to life through state execution for apostasy and extrajudicial killings. Since June 2010, at least 300 Christians have been arbitrarily arrested and detained throughout the country, including in Arak, Bandar Abbas, Bandar Mahshahr, Ardabil, Tabriz, Khoramabad, Mashhad, Hamadan, Rasht, Shiraz, Isfahan, and Elam. Iranian authorities typically release prisoners, but leave the charges against them or their convictions in place to threaten them with re-imprisonment at any future time. At the end of the reporting period, at least a dozen Christians remain in prison.

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In January 2013, Saeed Abedini, an Iranian-born American pastor, was sentenced in a trial without due process to eight years in prison for “threatening the national security of Iran” for his activity since 2000 in the Christian house church movement. Pastor Abedini had been in Iran since June 2012 to continue work to establish an orphanage and was arrested and imprisoned in September. Reportedly, he has spent several weeks in solitary confinement and was physically and psychologically abused by authorities in Evin prison.

In October 2012, five Iranian converts to Christianity—Mohammad Roghangir, Surush Saraee, Eskandar Rezaee, Shahin Lahooti and Massoud Rezaee—were arrested in a raid on a prayer gathering at a house church in Shiraz. They were charged with evangelism and are scheduled for trial in March 2013. The five men are members of the Church of Iran, one of the country’s largest house church movements. In February 2012, Iranian authorities raided a house church gathering in Shiraz, confiscated religious materials, and arrested 10 Christian converts. At the end of the reporting period, four remain in detention without charges—Mojtaba Hosseini, Homayoon Shokoohi, Vahid Hakkani, and Mohammad-Reza Paroei.

In January 2011, Behnam Irani, a pastor from Karaj was convicted of crimes against national security and sentenced to one year in prison. He started serving his sentence in May 2011 and learned in October that he would have to serve five years in connection with a previous conviction. He is reported to be in poor health and has not received proper medical attention. Farshid Fathi, a Christian convert arrested in Tehran in December 2010, was sentenced to a six year prison term in February 2012. Part of the evidence offered at trial was that Fathi possessed and unlawfully distributed Farsi language Bibles and Christian literature. He has spent a number of months in solitary confinement and remains in prison.

Christian pastor Yousef Nadarkhani, jailed since October 2009, was sentenced to death for apostasy in November 2010 by a court in Gilan province. Prosecutors acknowledged he had never been a Muslim as an adult but said the apostasy law still applies because he has Islamic ancestry. Rejecting his appeal in June 2011, the court suspended the death sentence contingent upon his recanting his faith, which he refused to do. Facing international pressure, officials released Nadarkhani in September 2012, only to re-arrest him on Christmas day and then release him days later in early January 2013.

Zoroastrians and Sabean Mandaean

In recent years, members of the Zoroastrian community—numbering between 30,000 and 35,000 people—have come under increasing repression and discrimination. In 2011, a Zoroastrian man, Mohsen Sadeghipour, began serving a four-and-a-half year prison term for propaganda of the Zoroastrian faith. Three others—Mojtaba Ahmadi, Pouria Shahpari, and Mohammad Javad Shahpari—were convicted and imprisoned in 2010 on blasphemy and other trumped-up security-related charges. All four remain in prison.

Over the past few years, the unrecognized Sabean Mandaean religious community, numbering between 5,000 and 10,000 people, has been facing intensifying official harassment. Reports continue about Sabean Madaeans facing societal discrimination and pressure to convert to Islam, and being denied access to higher education. Many families have fled the country.

Jews and Anti-Semitism

In recent years, official anti-Semitism has risen sharply in Iran, and members of the Jewish community have been targeted on the basis of real or perceived ties to Israel. President Ahmadinejad and other leaders made public remarks during the reporting period denying the Holocaust and calling for the elimination of the state of Israel. Officially-sanctioned anti-Semitic propaganda continued to appear in official statements, media outlets, publications, and books in 2012. In recent years, in line with a stepped-

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up state-sponsored campaign, numerous programs broadcast on state-run television advanced anti-Semitic messages, a prominent newspaper held a Holocaust denial editorial cartoon contest, and the Iranian government sponsored a Holocaust denial conference. Anti-Semitic editorial cartoons depicting demonic and stereotypical images of Jews, along with Jewish symbols, also were published in the past year.

Official government discrimination against Jews continues to be pervasive, fostering a threatening atmosphere for the approximately 20,000-25,000 member Jewish community. According to the

State Department, despite minimal restrictions on Jewish religious practice, education of Jewish children has become increasingly difficult, and distribution of Hebrew religious texts is strongly discouraged.

IN RECENT YEARS, OFFICIAL ANTI-SEMITISM HAS RISEN SHARPLY IN IRAN, AND MEMBERS OF THE JEWISH COMMUNITY HAVE BEEN TARGETED ON THE BASIS OF REAL OR PERCEIVED TIES TO ISRAEL.

WOMEN'S RIGHTS

The government's enforcement of its official interpretation of Shi'i Islam negatively affects the human rights of women in Iran, including their freedoms of movement, association, and thought, conscience, and religion or belief, as well as freedom from coercion in matters of religion or belief. The Iranian justice system does not grant women the same legal status as men. For example, testimony by a man is equivalent to the testimony of two women. Civil and penal code provisions, in particular those dealing with family and property law, discriminate against women.

During the reporting period, Iranian authorities heightened their enforcement of the strict dress code for women. By law, Iranian women, regardless of their religious affiliation or belief, must be covered from head to foot while in public. Social interaction between unrelated men and women is banned. Iran's "morality police" increased their presence throughout the country and more frequently stopped cars with young men and women inside to question their relationship.

Over the past few years, many leading women's rights activists have been arrested, and some remain in prison, for their involvement in the Campaign for Equality movement aimed at ending discrimination against women in the application of Islamic law in Iran. For example, Nasrin Sotoudeh, a member of the Equality movement, was sentenced to 11 years in prison (later reduced to six years) and barred from practicing law and from leaving the country for 20 years. She started a hunger strike in October 2012 to protest a travel ban imposed on her 12-year-old daughter. She ended the hunger strike in December after the travel ban was lifted. She remains in Evin prison, mostly in solitary confinement.

Women also have been sentenced to death under Islamic law. For example, Sakineh Ashtiani, an Azeri woman, was convicted of adultery in 2006 and sentenced to death by stoning. Unconfirmed reports in 2012 indicated that authorities no longer plan to carry out the stoning sentence, although the government has not clarified its position. She remains in prison in northwest Iran.

CRACKDOWN ON INTERNET FREEDOM, THE MEDIA, AND HUMAN RIGHTS DEFENDERS

According to human rights groups, throughout 2011 and 2012, Iranian authorities continued to restrict access to thousands of websites, particularly international news sources, the Green Movement, ethnic and religious minorities, and human rights groups. With the upcoming June 2013 presidential elections, the Iranian government is likely to crack down on journalists, activists, and netizens even further. Authorities have issued a "list of Internet offences" which includes content "contrary to the morals of society" and contrary to religious values, and Iran's "cyber police force" has arrested hundreds of individuals. In

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February 2011, the Ministry of Intelligence arrested eight bloggers who had been critically discussing Islamic doctrine on the Internet. In January 2012, they were sentenced to prison terms ranging from five to nine years.

Iranian authorities regularly detain and harass journalists and bloggers who write anything critical of the Islamic revolution or the Iranian government and block websites. The UN Special Rapporteur on human rights in Iran estimates at least 45 journalists and bloggers remain in prison as of the end of 2012. Several have been charged with being an “enemy of God,” “propaganda against the regime,” and “insulting the Supreme Leader.” Since the June 2009 disputed election, the Iranian government has engaged in cyber attacks on Persian and English language websites, which limited groups’ ability to send reports outside the country on human rights and religious freedom abuses.

In September 2012, human rights lawyer Mohammad Ali Dadkhah, a co-founder of the Center for Human Rights Defenders, began serving a nine-year prison sentence after being convicted of “membership in an organization seeking to overthrow the government” and spreading propaganda against the system through interviews with foreign media.” Human rights groups believe Dadkhah was targeted because he served as a lawyer for Pastor Yousef Nadarkhani and conducted some media interviews about his case in 2010 and 2011. Dadkhah is serving his sentence in Evin prison.

UN REPORTS AND ACTIONS

In March 2011, the UNHRC created a Special Rapporteur position to investigate and report on human rights abuses in Iran, a longstanding USCIRF recommendation, which had not existed since 2002. In August 2011, Ahmed Shaheed, the former Maldivian foreign minister, started in his new role as Special Rapporteur. The Iranian government has not responded to the Special Rapporteur’s request to visit Iran, although various officials said publicly he would never be permitted in the country. On February 28, 2013, the Special Rapporteur released his most recent report to the UN Human Rights Council, which focused on a wide range of violations, including those faced by Baha’is, Christians, Sufi and Sunni Muslims, and dissident Shi’i Muslims. His report includes a detailed list of Baha’is and Christians in prison. In October 2012, UN Secretary General Ban Ki-Moon issued his annual report on the situation of human rights in Iran, which included details of abuses, including arbitrary detentions and false imprisonment, against religious minorities, particularly Baha’is and Christians. In December 2012, for the 10th year in a row, the U.S. government co-sponsored and supported a successful UN General Assembly resolution on human rights in Iran, which passed 86 to 32, with 65 abstentions. The resolution condemned the Iranian government’s poor human rights record, including its continued abuses targeting religious minorities.

U.S. POLICY

The U.S. government has not had diplomatic relations with the government of Iran for over 30 years, and U.S. law prohibits nearly all trade with Iran. The United States has imposed sanctions on Iran because of its sponsorship of terrorism, refusal to comply with International Atomic Energy Agency regulations regarding its nuclear program, and, in 2010 for the first time, severe human rights and religious freedom violations. According to the State Department, these sanctions are intended to target the Iranian government, not the people of Iran. As a result, there are a number of exemptions, including exports of U.S. agricultural and medical products, U.S. donations of humanitarian articles, and U.S. imports of Iranian carpets and certain food items.

The U.S. government continued to highlight publicly the Iranian government’s human rights and religious freedom abuses. During the reporting period, in multilateral fora and through public statements, high-

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level U.S. officials urged the Iranian government to respect its citizens' human rights, including the right to religious freedom. For example, in January 2013 spokespersons from both the White House and State Department expressed concern and called for the release of Iranian-American pastor Saeed Abedini. In July 2012, the State Department released a statement marking 1,000 days that pastor Yousef Nadarkhani had been in prison, called for his immediate release, and condemned the Iranian government's treatment of ethnic and religious minorities. In February 2012, both the White House and State Department released statements citing reports that Pastor Nadarkhani's execution order had been renewed, and called for the lifting of the death sentence and for his immediate release.

Since 2010, the United States and the European Union (EU) have worked closely on a range of human rights issues in Iran. In April 2011, the EU imposed travel bans and asset freezes on 32 Iranian officials and entities responsible for serious human rights abuses. Since then, the EU has added 55 officials and entities bringing the number to 87. The United States and EU have issued a number of joint statements condemning human rights and religious freedom abuses in Iran.

On July 1, 2010, President Obama signed into law CISADA, the Comprehensive Iran Sanctions, Accountability, and Divestment Act (P.L. 111-195), which highlights Iran's serious human rights violations, including suppression of religious freedom. CISADA requires the President to submit to Congress a list of Iranian government officials or persons acting on their behalf responsible for human rights and religious freedom abuses, bars their entry into the United States, and freezes their assets. President Obama issued an executive order in September 2010 sanctioning eight Iranian officials for having committed serious human rights abuses after the June 2009 elections. Since then, the President has added three more Iranian officials and four Iranian government entities to the list. USCIRF long had called for the U.S. government to identify Iranian officials and entities responsible for severe religious freedom violations and impose travel bans and asset freezes on those individuals, and had specifically identified seven of the officials named in the executive order and an eighth named in June 2011. No previous Iran sanction measures had provisions dealing with human rights violations. USCIRF worked with Congressional offices on the need to develop such sanctions.

In August 2012, the President signed into law the Iran Threat Reduction and Syria Human Rights Act of 2012 (H.R. 1905 / P.L. 112-239). This law enhances human rights-related provisions of previous Iran sanctions laws such as CISADA. In October, the administration issued Executive Order 13628, implementing the law by blocking the property of Iranians deemed to have committed censorship or limited free expression in Iran. Nevertheless, sanctions have not yet altered Iran's repression of dissent or its efforts to control the Internet.

The U.S. government seeks to increase Iranian citizens' access to information about international human rights standards and to publicize the Iranian government's human rights abuses through Voice of America radio and television broadcasts, the Persian-language version of the America.gov Web site, and the Persian-language radio station Radio Farda, which broadcasts to Iran. Additionally, since 2004, the U.S. government has funded a wide range of programs to support civil society, human rights, and the rule of law in Iran, as well as expand information and documentation of human rights abuses.

According to USAID, funding in 2012-2013 will continue to include support for civil society and advocacy, promoting the rule of law and human rights, and increasing access to alternative sources of information in Iran. In Fiscal Year 2012, no request was made for specific democracy or human rights programming, although some portion of the \$35 million requested for Near East democracy programs likely was used to support continued human rights and public diplomacy programming in Iran. In Fiscal year 2013, \$30 million was requested for similar programming.

In August 2011, the Secretary of State re-designated Iran as a country of particular concern. According to the State Department, "as an action under the IRFA, the secretary of state designated the existing ongoing

restrictions on certain imports from and exports to the country, in accordance with section 103(b) of the Comprehensive Iran Sanctions Accountability and Divestment Act of 2010, pursuant to section 402(c)(5) of the act.”

RECOMMENDATIONS

In response to the systematic, ongoing, and egregious violations of religious freedom, and the repressive practices routinely imposed by the Iranian government, the U.S. government should continue to work closely with its European and other allies, in bilateral and multilateral fora, to apply pressure on the Iranian government through advocacy, diplomacy, and targeted sanctions with the aim of halting the government’s human rights and religious freedom violations.

I. STOPPING ABUSES OF FREEDOM OF RELIGION OR BELIEF AND SUPPORTING HUMAN RIGHTS AND DEMOCRACY

In addition to continuing to designate Iran as a CPC, the U.S. government should continue to speak out publicly and frequently at the highest levels about the severe religious freedom abuses in Iran, and ensure that violations of freedom of religion or belief and related human rights are part of all formal and informal multilateral or bilateral discussions with the Iranian government, by calling on the Iranian government to:

- release the seven Baha’i leaders—Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm—and 10 Baha’i educators and administrators, as well as other Baha’is in prison on account of their religion or belief, and drop all pending charges against these and other Baha’is;
- rescind immediately laws that allow Baha’is to be killed with impunity, permit the Baha’i community to practice their faith in Iran, and allow full access for Baha’is to study in public universities without discrimination;
- release all Christians, including Saeed Abedini, Behnam Irani, Farshid Fathi, in prison on account of their religion or belief, and drop all pending charges against Christian converts;
- release Shi’i cleric Ayatollah Mohammad Kazemeini Boroujerdi and his followers and other dissident Muslims, including Sufis, in prison on account of their religion or belief;
- release from prison women’s rights activists, including Nasrin Sotoudeh, who advocate for ending discrimination against women in the application of Islamic law, and Sakineh Ashtiani, who remains on death row for allegedly committing adultery;
- release from prison human rights defenders, activists, and journalists, including Muhammad Ali Dadkhah and Adolfattah Soltani, who have been targeted for reporting on human rights and religious freedom abuses and defending victims; and
- halt state-sponsored anti-Semitism and Holocaust denial, and cease all messages of hatred and intolerance, particularly toward Jews and Baha’is, in the government-controlled media and remove the government-appointed editor of *Kayhan*, Hossein Shariatmadari.

II. U.S. GOVERNMENT ACTIVITIES RELATED TO HUMAN RIGHTS AND RELIGIOUS FREEDOM

The U.S. government should:

- use appropriated Internet freedom funds to develop free, secure email access for use in Iran; facilitate the provision of high-speed internet access via satellite; and distribute immediately proven and field-tested counter-censorship programs in order to prevent the arrest and harassment of religious freedom and human rights activists and help them maintain their freedom of expression and legitimate expectations of privacy;
- ensure that funding to promote democracy and human rights in Iran includes support for effective initiatives advancing freedom of religion or belief, as well as ways to promote rule of law and human rights defenders programs that specifically seek to protect religious minorities; and
- fund U.S. public diplomacy entities adequately, such as Voice of America and Radio Farda, and expand and develop new programming focusing solely on the situation of human rights, including the freedom of thought, conscience, and religion or belief, in Iran.

III. IMPOSING TARGETED SANCTIONS FOR HUMAN RIGHTS AND RELIGIOUS FREEDOM VIOLATIONS

The U.S. government should:

- continue to identify Iranian government agencies and officials responsible for particularly severe violations of religious freedom, including but not limited to:
 - Supreme Leader Ayatollah Ali Khamenei;
 - President Mahmoud Ahmadinejad;
 - Sadegh Ardeshir Larijani, Head of the Judiciary;
 - Ayatollah Ahmad Jannati, Chair, Guardian Council;
 - Ayatollah Muhammad Taqi Mesbah Yazdi, Assembly of Experts;
 - Hossein Shariatmadari, Managing Editor, Kayhan;
 - Mohammad Moghiseh, Presiding Judge of Branch 28 of the Islamic Revolutionary Courts;
 - Abbas Pir-Abbassi, Presiding Judge of Branch 26 of the Islamic Revolutionary Courts; and
 - Abolghassem Salavati, Presiding Judge of Branch 15 of the Islamic Revolutionary Courts; and
- continue to bar from entry into the United States and freeze the assets of Iranian government officials identified as having engaged in particularly severe religious freedom violations, including but not limited to those listed above, and, where appropriate, their immediate family members.

IV. PROVIDING THE OPPORTUNITY FOR RELIGIOUS MINORITIES TO SEEK ASYLUM

The U.S. Congress should:

- reauthorize and make permanent the Lautenberg Amendment, which aids persecuted Iranian religious minorities and others seeking refugee status in the United States by establishing a presumption of eligibility and allowing fast-track processing to prevent backlogs in the countries that host their processing.

V. PROMOTING FREEDOM OF RELIGION OR BELIEF AND RELATED HUMAN RIGHTS IN MULTILATERAL FORA

The U.S. government should:

- call on the UN Human Rights Council (UNHRC) to follow up vigorously on Iran's compliance with the recommendations from the February 2010 UPR, including those related to freedom of religion or belief;
- continue to support an annual UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran, and calling for officials responsible for such violations to be held accountable, and press for a resolution condemning severe violations of human rights in Iran, including freedom of religion or belief, at the UNHRC;
- call on Iran to cooperate fully with the UN Special Rapporteur on the Human Rights Situation in Iran, including allowing the Special Rapporteur to visit;
- call on the UNHRC to monitor carefully and demand Iran's compliance with the recommendations of those UN special representatives who have already visited Iran, particularly the Special Rapporteur on Freedom of Religion or Belief (1995), the Working Group on Arbitrary Detention (2003), the Special Rapporteur on the Right to Freedom of Opinion and Expression (2003), and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context (2005); and
- encourage the UNHRC to continue to use its existing procedures to maintain oversight of conditions for freedom of religion or belief in Iran, including continued visits and reporting by the Special Rapporteur on Freedom of Religion or Belief, the Special Rapporteur on Freedom of Opinion and Expression, and other relevant special rapporteurs and working groups, to which Iran has issued a standing invitation.

IRAQ



USCIRF STATUS:

Tier 1 Country of Particular Concern

BOTTOM LINE:

Despite the government's efforts to improve security, religiously-motivated violence by extremist groups continues with impunity, with Shi'i Muslims experiencing the worst attacks in the past year. In recent years, such violence has forced large percentages of the country's smallest religious minority communities, including Christians, Mandaeans, and Yezidis, to flee the country, and those who remain live in fear of further violence and face discrimination, marginalization, and neglect.

EXECUTIVE SUMMARY

FINDINGS: Over the last several years the Iraqi government has made efforts to increase security for religious sites and worshippers, provide a stronger voice for Iraq's smallest minorities in parliament, and revise secondary school textbooks to portray minorities in a more positive light. Nevertheless, the government of Iraq continues to tolerate systematic, ongoing, and egregious religious freedom violations, including violent religiously-motivated attacks. Violence against Iraqi civilians continued in 2012 at approximately the same level as in 2011. In addition, the government took actions that increased, rather than reduced, Sunni-Shi'i and Arab-Kurdish tensions, threatening the country's already fragile stability and further exacerbating the poor religious freedom environment.

Based on these concerns, USCIRF again recommends in 2013 that Iraq be designated as a "country of particular concern," or CPC. USCIRF has recommended CPC status for Iraq since 2008, and placed Iraq on its Watch List in 2007.

Shi'i Muslims experienced the worst attacks of any religious community during the reporting period, including against pilgrims participating in celebrations on or around important religious holidays. The government has proven unable to stop religiously-motivated attacks from occurring and lacks the will or capacity to investigate attacks and bring perpetrators to justice. This has created a climate of impunity, which in turn exacerbates a perpetual sense of fear for all religious communities, particularly the smallest ones. Large percentages of the country's smallest religious minorities—which include Chaldo-Assyrian and other Christians, Sabeen Mandaeans, and Yezidis—have fled the country in recent years, threatening these communities' continued existence in Iraq. The diminished numbers that remain face official discrimination, marginalization, and neglect, particularly in areas of northern Iraq over which the Iraqi government and the Kurdistan Regional Government (KRG) dispute control. Religious freedom abuses continue towards women and individuals who do not conform to strict interpretations of religious norms or attacks on businesses viewed as "un-Islamic". However, in a positive development, the Iraqi parliament shelved a problematic draft Information Crimes law that would have restricted the freedoms of religion and expression. Additionally the KRG parliament rejected a draft law to "protect sanctities," which, if adopted, would violate these same freedoms. However, there are reports that KRG officials may still pursue legal action against the media for offending religion, Kurdish history, or national symbols.

PRIORITY RECOMMENDATIONS: For Iraq to become a secure, diverse, and stable democracy, the United States must do more to help ensure that the human rights of all Iraqis are guaranteed and enforced in law and practice. The United States government should urge, and where appropriate assist, the Iraqi government in its efforts to provide security to protect likely targets of sectarian or religiously-motivated violence and to investigate and prosecute perpetrators. The United States also should prioritize human rights issues in its relationship with both the Iraqi central government and the KRG. In addition, the U.S. police development program should emphasize outreach to minority communities. Other U.S. programs in Iraq should focus on promoting religious freedom and tolerance, fostering human rights compliance and the rule of law, improving ethnic and religious minorities' ability to organize themselves and convey their concerns to their government effectively, and prioritizing development assistance for areas where marginalized communities are concentrated. Additional recommendations for U.S. policy toward Iraq can be found at the end of this chapter.

RELIGIOUS FREEDOM CONDITIONS

CONSTITUTIONAL AND LEGAL FRAMEWORK

The 2005 Iraqi constitution makes Islam the official religion of the state and guarantees “the Islamic identity of the majority of the Iraqi people.” The constitution also guarantees “the full religious rights of all individuals to freedom of religious belief and practice, such as Christians, Yezidis, and Sabean Mandaeans.” It further provides that all Iraqis are equal before the law without discrimination based on religion, creed, belief, or opinion, among other grounds, and guarantees to every individual the freedom of thought, conscience, and belief.

The constitution provides that Islam is “a fundamental source of legislation” and that no law can contradict “the established principles of Islam,” the principles of democracy, or the rights and freedoms protected in the constitution. The Federal Supreme Court has jurisdiction to interpret the constitution and assess the constitutionality of laws and regulations. However, the principles of Islam referred to in the constitution are not defined, creating ambiguity and tension between international human rights standards and the religious views of Iraqi officials, judges and legislators.

While the Iraqi Penal Code does not prohibit or penalize apostasy, other laws and policies restrict the freedom to change religion. Iraqi officials, citing regulations preventing Muslims from converting to another religion, have refused to allow Baha’is to change their religious affiliation on their identity documents from “Muslim.” The 1972 Law of Civil Affairs explicitly allows non-Muslims to convert to Islam, but makes conversion of minor children automatic if one parent converts to Islam, even if the other parent objects. In 2008 the Iraqi Court of Cassation refused to allow a child in this situation to reflect his religion of birth on his identity card after reaching adulthood.

Other laws and policies contradict the constitutional provisions guaranteeing equality and religious freedom, but have not been invalidated or repealed. For example, the constitution grants Iraqis freedom “in their commitment to their personal status according to their religions, sects, beliefs, or choices,” but implementing legislation has not yet been passed. As a result, courts continue to apply the 1959 Personal Status Law to all Iraqis, except specified non-Muslims.

OTHER LAWS AND POLICIES
CONTRADICT THE CONSTITUTIONAL
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The Baha’i faith remains banned under a 1970 law. A 2006 law prohibits Jews who emigrated from regaining Iraqi citizenship, despite a constitutional provision that prohibits the rescinding of citizenship obtained by birth and guarantees persons whose citizenship has been rescinded the right to demand reinstatement. A 2001 resolution prohibits the practice of the Wahhabi branch of Islam. While no court challenges have been brought to have the laws invalidated, the Iraqi parliament has also not proposed legislation to repeal them.

HEIGHTENED SECTARIAN AND ETHNIC TENSIONS

Longstanding, unresolved Sunni-Shi’i and Arab-Kurdish tensions have escalated over the past several years, threatening Iraq’s already fragile stability. According to nationwide polling conducted in Iraq in October 2011, 75% of Sunnis feel that their sect is treated unfairly by the government and 60% feel their sect is treated unfairly by society. There continue to be reports of torture and other abuses, some allegedly along sectarian lines, in detention facilities, including secret prisons run by the Prime Minister’s special counterterrorism forces. Tensions have increased further, due to the Shi’i-led government’s slow

pace of integrating Sunni Sons of Iraq members into the security forces or government jobs, its attempts to bar Sunnis from participating in the political process for alleged Baathist ties, and its actions against leading Sunni officials.

Prime Minister al-Maliki continues to defy the November 2010 power-sharing agreement that finally allowed a government to be formed after the March 2010 elections, and he has taken no steps to create the national strategic policies council that was supposed to be led by his main rival, former Prime Minister Ayad Allawi of the Iraqiya bloc. (Iraqiya is a cross-sectarian bloc supported by many Sunnis, which won two more parliamentary seats than al-Maliki's bloc in the 2010 election.) Efforts by his political opponents to unseat him have been unsuccessful, and the Prime Minister still controls the Defense and Interior Ministries.

In the fall of 2011, the government arrested hundreds of individuals, including many prominent Sunnis, for alleged Baathism. In December 2011, just after the last U.S. troops left the country, the Prime Minister announced an arrest warrant for the Sunni Vice President, Tariq al-Hashimi, of the Iraqiya bloc, for alleged terrorism and members of al-Hashimi's staff and bodyguards were also arrested. Al-Hashimi, who denied the charges and called them politically motivated, left Baghdad for the KRG region and then Turkey, where he remains. By late 2012, he had been convicted in absentia and sentenced to several death sentences, sparking Sunni-led protests. In December 2012, the government arrested 10 bodyguards assigned to Iraq's finance minister, Rafia al-Issawi, one of the most senior Sunni officials, sparking further protests. The timing of these arrests, just after Iraqi President Jalal Talabani suffered a stroke and went abroad for medical treatment, concerned many observers, as Talabani, a Kurd, had played a mediating role in past political crises.

Major protests against the al-Maliki government began in late 2012, mostly in Sunni governorates, and continued through the end of the reporting period. For example, in December in the northern city of Mosul, around 3,000 demonstrators took to the streets to denounce what they called the sidelining of Sunnis in Iraq and to demand the release of Sunni prisoners, with demonstrators chanting the Arab Spring slogan: "The people want the

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downfall of the regime." In January 2013, approximately 7,000 Sunnis and Kurds blocked major highways leading to Baghdad and in a coordinated effort, Sunni and Kurdish governmental ministers

boycotted a cabinet meeting to demand that al-Maliki stop arresting political rivals and marginalizing Sunni and Kurdish representatives. During a protest in Mosul on January 20, a man set himself on fire. On January 25 in Fallujah, four protesters and two Iraqi soldiers were killed when violence broke out after central government troops arrested three protesters. The Iraqi government freed several hundred prisoners in January in an attempt to satisfy the protesters, but demonstrations continued.

In addition, the al-Maliki government and Kurdish authorities remain at an impasse over the control of northern areas, including Kirkuk, and other issues of power and revenue-sharing. In mid-2012, Prime Minister al-Maliki created a new Iraqi military command for disputed areas, which Kurdish authorities saw as a provocation. Both sides sent troops to the disputed areas, and in mid-November the resulting standoff flared up into an armed clash between Iraqi and Kurdish security forces in the disputed town of Tuz Khurmatu.

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VIOLENT ATTACKS AGAINST SHI'I MUSLIMS

Sectarian discontent and tensions continue to fuel violence by militants and extremist groups. Shi'i Muslims and Shi'i pilgrims on or around religious holidays have been especially vulnerable to violent attacks during the 2012-2013 reporting period. Although the Iraqi government has increased security and reportedly prevented several bombings, in the vast majority of attacks, perpetrators, generally suicide bombers, continue to strike processions and their co-conspirators are rarely identified, prosecuted, or punished.

As in past years, the Iraqi government provided heavy security on pilgrimage routes and at Shi'i holy sites, particularly for important holidays. In November 2012, the day of Ashura, a major Shi'i holiday, occurred without any significant attacks, unlike in previous years. However, later the same week major attacks targeted Shi'i mosques in Baghdad and Shi'i pilgrims and shrines in southern Iraq, killing more than 40 and injuring many others. In addition, Shi'i worshippers were targeted on other holidays, often in multiple attacks. For example, on June 13, 2012, a series of bombings targeting security forces and pilgrims marking the death of Imam Mosa al-Kadhumi, occurred in Baghdad, Mosul, Kirkuk, and Ramadi, killing at least 78 and injuring some 300 people. And as in previous years, attacks occurred in October 2012 against Shi'i populations on Eid al-Adha, including several bombings in Shi'i dominated neighborhoods in Baghdad that killed 14 and wounded 52; an attack on a bus carrying Shi'i pilgrims near Taji that killed 5; and bombings of shops in Mosul belonging to the Shabak sect that killed 5 and wounded 7. In January 2013, there were also a number of attacks against Shi'i Muslims. A bomb was detonated inside a Shi'i mosque in Tuz Khurmatu, with a reported 22 killed and upwards of 90 injured. A suicide bomber killed at least 27 Shi'i Muslims and injured at least 60 others in the town of Mussayab, where the bomber drove into a bus station where Shi'i pilgrims were returning from Karbala after making an annual pilgrimage. Also, in separate incidents, four Shi'i Muslim pilgrims were reportedly killed after a bomb placed on their car detonated, and at least 8 other Shi'i Muslims were killed in Salahudin Province by two bombs.

HOWEVER, LATER THE SAME WEEK MAJOR ATTACKS TARGETED SHI'I MOSQUES IN BAGHDAD AND SHI'I PILGRIMS AND SHRINES IN SOUTHERN IRAQ, KILLING MORE THAN 40 AND INJURING MANY OTHERS.

In addition to the attacks on Shi'i Muslims on or around religious holidays, other attacks targeting Shi'a, including suicide bombings, have been reported. For example, in early February 2013 two car bombs exploded in Kadhimiya, Baghdad killing 16 and injuring an additional 44, a second car bomb killed 15 in Hilla, and a third car bomb exploded in Karbala, killing 3. The organizers of such attacks are rarely identified, prosecuted or punished.

VIOLENT ATTACKS AGAINST THE SMALLEST RELIGIOUS MINORITIES

In recent years many Iraqis, Muslim and non-Muslim alike, have been victimized by religiously-motivated violence, but those from the country's smallest, non-Muslim religious minorities have been particularly vulnerable. They lack militia or tribal structures to defend themselves against attacks, and they have not received adequate official protection or justice.

For these reasons half or more of the pre-2003 Iraqi Christian community is believed to have left the country. In 2003, there were thought to be 800,000 to 1.4 million Chaldean Catholics, Assyrian Orthodox, Assyrian Church of the East members, Syriac Catholics and Orthodox, Armenian Catholics and Orthodox, Protestants, and Evangelicals in Iraq. Today, community leaders estimate the number of Christians to be around 500,000. Other communities also have experienced declines. The Sabean Mandaeans report that almost 90 percent of their small community either has fled Iraq or been killed, leaving some 3,500 to 5,000 Mandaeans in the country, as compared to 50,000 to 60,000 in 2003. The

Yezidi community reportedly now numbers approximately 500,000, down from about 700,000 in 2005. The Baha'i faith, which is estimated to have only 2,000 adherents in Iraq, remains banned under a 1970 law, and the country's ancient and once large Jewish community is largely extinct in Iraq. These diminished communities face a pattern of official discrimination, marginalization, and neglect, particularly in areas in northern Iraq over which the Iraqi government and the KRG dispute control.

There were no large-scale violent attacks causing death or injuries against the smallest religious minority communities in the 2012-2013 reporting period. The Chaldean Catholic Sacred Heart Cathedral of

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Kirkuk was struck by a bomb set outside its walls on September 16, 2012, which caused only property damage. It is unclear whether the bombing was aimed at the Cathedral or an Iraqi security forces checkpoint nearby. Nevertheless, the September 2012 explosion near the Cathedral and previous attacks on churches, including three in 2011, have created an ongoing generalized sense of fear.

The Iraqi government made little progress in investigating and prosecuting perpetrators of religiously-motivated attacks aimed at Muslims or small minority communities. One exception is the high-profile case of the October 2010 hostage siege at Our Lady of Perpetual Help Syriac Catholic church in Baghdad, in which more than 50 people were killed and more than 60 injured. In August 2011, a Baghdad court convicted and sentenced three individuals to death, and one to 20 years' imprisonment, for masterminding and preparing the attack. The three were executed in February 2012, according to press reports. In the wake of that attack, which was the worst on Christians in Iraq since 2003, senior Iraqi government officials, including Prime Minister al-Maliki,

President Talabani, and KRG President Massoud Barzani, issued public condemnations, as did two important Shi'i leaders. The government also increased security at churches and in Christian neighborhoods and said that it would provide compensation to the families of those killed and injured and financial assistance to repair the church.

Christian, Mandaean, and Yezidi organizations also continued to report individual cases of violence against community members during the reporting period. In August 2012, nine Yezidis were killed in separate gun and bomb attacks in Nineveh governorate. In September, five Yezidis were stopped by unidentified men, and two were killed, while driving from Sheberqasim Temple in Karsi village to Sinjar city. In October 2012, Kurdish security forces arrested a Yezidi leader, Khoudeida Ibrahim Fendi, and detained him for about a week; community members say he was arrested because of his advocacy for Yezidi rights. USCIRF also received reports during the course of 2012 of two Yezidis, four Mandaeans, and two Christians being kidnapped; two Christians and one Mandaean being killed; and three Mandaean families being threatened and injured. In May 2012, the NGO Open Doors reported that 20 Christian families in Mosul received anonymous threatening letters urging them to leave Iraq immediately. In January 2013, Shdha Elias, a Chaldean school teacher, was found with her throat slit by Mosul police.

ISSUES FOR MINORITIES IN DISPUTED AREAS

Many of the non-Muslim minorities internally displaced by violence have gone to the north of the country, mainly to Nineveh governorate and the territory of the KRG, which is comprised of three other governorates. Northern Iraq, particularly the Nineveh Plains area of Nineveh governorate, is the historic homeland of Iraq's Christian community, and the Yezidi community is indigenous to Nineveh and the KRG governorate of Dahuk. The three KRG governorates are relatively secure, but Nineveh governorate, particularly in and around its capital Mosul, remains extremely dangerous, and control over this ethnically and religiously mixed area is disputed between the KRG and the central Iraqi government.

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Religious and ethnic minorities in these areas, including non-Muslims and ethnic Shabak and Turkomen, have accused Kurdish forces and officials of engaging in systematic abuses and discrimination against them to further Kurdish territorial claims. These accusations include reports of Kurdish officials interfering with minorities' voting rights; encroaching on, seizing, and refusing to return minority land; conditioning the provision of services and assistance to minority communities on support for Kurdish

THESE ACCUSATIONS
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expansion; forcing minorities to identify themselves as either Arabs or Kurds; and impeding the formation of local minority police forces. The minorities also accuse both Arab and Kurdish officials of ignoring these vulnerable communities as they focus on their fight for territorial control.

To address their lack of security and political and economic marginalization, some Iraqi minority groups, both inside and outside Iraq, have been seeking an autonomous area for Christians, and some say for other minorities as well, in the Nineveh Plains area. They argue that this would give effect to Article 125 of the Iraqi Constitution, which "guarantee[s] the administrative, political, cultural and educational rights of the various nationalities, such as Turkomen, Chaldeans, Assyrians, and all other constituents," and provides that this "shall be regulated by" a future law. However, the specifics of what such a law would entail, including the territory that such an area would cover, its religious and ethnic make-up, how it would be secured, what governance and economic powers it would have, and how it would relate to the KRG and the central government remain disputed, even among those who say they favor autonomy. Other leaders from minority religious communities disagree with this approach, concerned that it would make minorities a more concentrated target for violence. Members of the smallest minorities also have urged reforms to provisions in Article 2 of the Iraqi Constitution that gives Islam a preferred status, arguing that this favoritism provides a potential justification for discrimination against non-Muslims. The Iraqi government apparently has made no serious efforts to address these proposals.

POSITIVE DEVELOPMENTS FOR THE SMALLEST MINORITIES

In a positive development for the smallest minorities, the Iraqi parliament (Council of Representatives or COR) that was elected in 2010 has eight seats reserved for these groups: five for Christians and one each for Mandaean, Yezidi, and Shabak. In addition, six Yezidi candidates were elected to the COR on the Kurdistan Alliance list, bringing the total current number of religious minority parliamentarians to 14 (out of 325). A minorities caucus was also established for the first time in the COR; it includes the representatives of all the ethnic and religious minorities' political parties and is supported by a civil society alliance.

In 2012, the efforts of the minorities' caucus and alliance, with support from the U.S. Institute of Peace, saw progress on a more positive portrayal of minorities in the educational system and the improved delivery of basic services to neglected minority areas.

The minorities alliance reviewed intermediate (grades 5 to 9) material for four subjects (history, geography, civics, and Arabic language) to identify problems, recommended alternative language, and worked with the Ministry of Education to see those reforms implemented. Many of these recommendations were incorporated into new textbooks released in September 2012, and the ministry has said that more will be included in 2013 textbooks. As a result, instead of referring to Iraq's population as "Arabs, Kurds, and others," the educational materials now specifically discuss Iraqi Christians, Yezidis, Shabak, and Mandaean as part of Iraqi history and society.

In addition, members of the minorities' alliance worked with other Iraqi parliamentarians first to change federal budget procedures to require that provincial governments distribute construction and development

funds on the basis of population, rather than leaving the allocation entirely to the provincial government's discretion. This will help ensure minority communities receive annual development funds. The alliance next worked with provincial, local, and civil society leaders in Nineveh to successfully allocate money from the 2012 regional development budget towards projects their communities had identified as priorities—specifically, the construction of five health facilities and a water project—in under-served minority districts and sub-districts. Construction on one of the health facilities, in Bartilla, has already begun.

OTHER ISSUES

As in past years, there were attacks on allegedly “un-Islamic” minority businesses in 2012 and reports of the Iraqi government seeking to impose, or tolerating the private imposition of, conservative Islamic religious norms on non-consenting individuals. For example, in September 2012, Iraqi security forces raided a number of private businesses that served alcohol in Baghdad, beating customers and staff and damaging property.

In the past year, human rights groups continued to express concern about violence against women and girls, including domestic violence and honor killings, throughout Iraq, including in the KRG region, as well as about pressure on women and secular Iraqis to comply with conservative Islamic norms, particularly relating to dress and public behavior. For example, there were reports of increasing public pressure from religious leaders on women to cover their hair, particularly in neighborhoods near religious shrines. Although extra-legal, these dress norms reportedly were sometimes enforced by Iraqi security forces, as well as by private, self-appointed “morality police” that the Iraqi government did nothing to stop.

PROPOSED LAWS

In 2012, the central government and the KRG considered draft laws that, due to their broad and vague language, could be applied in ways that violate both freedom of religion or belief and freedom of expression. In a positive development, the proposed federal Information Crimes Law was shelved in January 2013 after Iraqi civil society groups raised serious concerns. It would have imposed life imprisonment or large fines on anyone found guilty of “inflaming sectarian violence or strife,” “encroach[ing] on any religious, moral, family, or social values or principles,” or “creat[ing], administer[ing], or help[ing] to create...any programs, information, photographs, or films that infringe on probity or public morals or advocate or propagate such things.”

In June 2012, the Kurdish regional Committee for Religious Endowments proposed a draft “Law to Protect Sanctities.” This proposal would make offending God or prophets, or deliberately damaging holy books or religious buildings, punishable by up to 10 years in prison. In addition, any media organization found guilty of publishing or broadcasting blasphemous content would be subject to being shut down for at least six months. However, in September, the Kurdish Parliament’s Legal, Human Rights and Civil Affairs Committees rejected the draft law, noting that it would contravene the human rights principles, the Iraqi constitution and the 2007 Press Law. Nevertheless, according to a report by the NGO Human Rights Watch, officials of the Justice Ministry and Ministry of Religious Endowments have instructed subordinate officials to monitor and report on any media publication that

IN JUNE 2012, THE KURDISH REGIONAL COMMITTEE FOR RELIGIOUS ENDOWMENTS PROPOSED A DRAFT “LAW TO PROTECT SANCTITIES.” THIS PROPOSAL WOULD MAKE OFFENDING GOD OR PROPHETS, OR DELIBERATELY DAMAGING HOLY BOOKS OR RELIGIOUS BUILDINGS, PUNISHABLE BY UP TO 10 YEARS IN PRISON.

“disrespects religion, Kurdish history, or national symbols,” so that “the public prosecution can take legal action against the source of the publication.” Human Rights Watch reported it was unable to ascertain if any arrests occurred because of this directive.

U.S. POLICY

The reporting period covered most of Iraq’s first year without a U.S. military presence since 2003. Pursuant to the 2008 Status of Forces Agreement between Iraq and the United States, the last remaining U.S. troops departed from Iraq in December 2011. Since 2008, U.S.-Iraqi bilateral relations have been governed by a “Strategic Framework Agreement,” which emphasizes cooperation in specified areas such as political and diplomatic, defense and security, cultural, and law enforcement and judicial. The Obama administration’s stated goal for this bilateral relationship is to help Iraq become “secure, stable and self reliant; with a government that is just, representative, and accountable; that denies support and safe haven to terrorists; is able to assume its rightful place in the community of nations; and contributes to the peace and security of the region.” A major underlying concern for the United States is countering Iran’s influence in Iraq.

The United States’ diplomatic mission in Iraq is its largest and most costly in the world, employing around 16,000 civilians as of mid-2012, mostly contractors, in multiple locations including the embassy in Baghdad, consulates in Erbil, Kirkuk, and Basra, and several offices of security cooperation and police training sites. However, the State Department has concluded that this is larger than necessary and plans to downsize the staffing by 25 percent by the end of 2013. In addition to the Department of State and the U.S. Agency for International Development (USAID), the federal agencies involved in implementing the U.S.-Iraqi partnership under the Strategic Framework Agreement include the Departments of Justice, Homeland Security, Commerce, Treasury, Transportation, and Agriculture; the Department of Defense also continues to staff the office of security cooperation, which works with the Iraqi military.

A police development program was meant to be a major component of the continuing U.S. civilian efforts in Iraq. However, due to security concerns and the Iraqi government’s lack of interest in the program, in 2012 it was scaled back to only 36 advisors, from a planned 350. Other U.S.-funded programs in Iraq seek to promote Iraqi political reconciliation and peaceful dispute resolution, strengthen parliamentarians’ ability to represent their constituents, increase the effectiveness of electoral institutions, improve service delivery, improve the primary education system, assist local governing bodies, promote Iraqi economic growth and private-sector development, and fight corruption.

Over the past several years, the U.S. government has increased its efforts to help address the problems facing Iraq’s ethnic and religious minorities. In 2008, the State Department designated officials in both Washington and Baghdad to coordinate its efforts on minority issues. In addition, according to the State Department, the U.S. government has spent more than \$70 million to support these communities as of the end of 2011. Nevertheless, some Iraqi minority communities have complained of not seeing any benefits, and in 2010, based on a USCIRF recommendation, members of Congress requested a Government Accountability Office (GAO) audit into the State Department and USAID’s administration of these funds. In July 2012, the GAO issued its report, which looked at three Congressional directives from 2008 and 2010 that State and USAID said they had met by providing US \$40 million to minorities. GAO concluded that the agencies had met two of the directives with US \$26.9 million in aid for essential services and humanitarian assistance, but that USAID could not demonstrate that it had met the other directive, as it was only able to link 26 percent of the assistance it said responded to that directive to the Nineveh Plain region and could not substantiate that those projects benefitted minorities.

IRAQ

The United States makes significant contributions to various international and non-governmental organizations assisting Iraqi refugees and IDPs, and is the largest recipient of both UNHCR referrals of Iraqis and resettled Iraqi refugees. In the past two years, however, resettlements of Iraqis dropped significantly after the U.S. government imposed new pre-travel security checks for refugees worldwide. In addition, in early 2012, the U.S. government stopped sending Department of Homeland Security officials to Syria to interview refugees for resettlement due to the deteriorating security situation in that country. According to news reports many Iraqis who fled to Syria at the height of the Iraqi conflict have either returned to Iraq or have joined Syrian refugees in neighboring countries, including Turkey, Jordan, and Lebanon.

RECOMMENDATIONS

In response to the particularly severe abuses of religious freedom in Iraq, the United States should advocate measures to ensure security, justice, and legal protections for all Iraqis; prioritize human rights, including freedom of religion or belief, in its relationship with the Iraqi central government and the Kurdistan Regional Government (KRG); promote these rights and freedoms through various U.S. programs; and continue to assist internally displaced persons and refugees.

I. ENSURING SECURITY, JUSTICE, HUMAN RIGHTS, AND LEGAL PROTECTION FOR ALL IRAQIS

In addition to designating Iraq as a CPC, the U.S. government should:

- urge, and where appropriate assist, the Iraqi government, in consultation with the affected communities, to continue its efforts to provide increased security to protect likely targets of sectarian or religiously-motivated violence, including areas where religious or minority communities live or congregate such as religious sites;
- urge, and where appropriate assist, the Iraqi government to undertake prompt, transparent, and effective investigations of all incidents of sectarian or religiously-motivated violence and bring the perpetrators to justice consistent with due process of law;
- press the Iraqi government to ensure that its revenues neither directly nor indirectly support any militia, para-state actor, or other organization credibly charged with involvement in sectarian or religiously-motivated violence;
- urge the Iraqi government to ensure that provisions in the Iraqi Constitution providing that no law may contradict “the established provisions of Islam” and guaranteeing “the Islamic identity of the majority” are not used to undermine the human rights of every Iraqi, including their rights to freedom of religion or belief and equality before the law; and
- work with Iraq’s government and its smallest minority communities and their political and civic representatives to help them reach agreement on what measures are needed to ensure their rights and security in the country.

II. PRIORITIZING HUMAN RIGHTS, INCLUDING FREEDOM OF RELIGION OR BELIEF, IN THE U.S. RELATIONSHIP WITH THE IRAQI GOVERNMENT AND THE KRG

The U.S. government should:

- ensure that all U.S.-Iraqi cooperation under the Strategic Framework Agreement to “promote Iraq’s efforts in the field of ... human rights” places a high priority on ensuring the interdependent rights to freedom of religion or belief and freedom of opinion and expression;
- ensure that human rights issues, including freedom of religion or belief and minority rights, are raised in the context of negotiations between the Iraqi central government and the KRG concerning disputed internal boundaries; and
- demand immediate investigations of, and accounting for, alleged human rights abuses against minority communities by Kurdish regional and local officials, and make clear that decisions on U.S. financial assistance and other interaction with the KRG will take into account whether perpetrators are being investigated and held accountable.

III. PROMOTING HUMAN RIGHTS, INCLUDING FREEDOM OF RELIGION OR BELIEF, THROUGH U.S. PROGRAMS

The U.S. government should:

- ensure that all participants in the police development program are thoroughly vetted to confirm they have not been implicated in human rights abuses and include in the program an emphasis on training Iraqi police leadership on best practices for law enforcement outreach to vulnerable minority communities;
- direct U.S. officials and recipients of U.S. grants to prioritize projects that promote multi-religious and multi-ethnic efforts to encourage religious tolerance and understanding, foster knowledge of and respect for universal human rights standards, build judicial capacity to enforce the rule of law, and develop the political ability of ethnic and religious minorities to organize themselves and convey their concerns to the government effectively;
- fund exchange and educational opportunities focusing on religious freedom and tolerance, including through the State Department’s International Visitors Program and the Fulbright Foreign Student and Visiting Scholars Programs, for Iraqi officials, legal professionals, representatives of non-governmental organizations, religious leaders, students, and other members of key sectors of society;
- assist the Iraqi government to develop curricula and materials to teach Iraqi students about religious freedom, tolerance, and Iraq’s history as a multi-religious and multi-ethnic state; and
- ensure that U.S. development assistance prioritizes areas where Iraq’s smallest minority communities are concentrated, and that the use of such funding is determined in consultation with these communities’ political and civic leaders.

IV. ADDRESSING THE SITUATION OF INTERNALLY DISPLACED PERSONS AND REFUGEES

The U.S. government should:

- continue to provide significant funding to the UN, humanitarian organizations, host nations, and host communities to provide essential humanitarian aid to vulnerable Iraqi internally displaced persons and refugees, and encourage the Iraqi government and other countries to do likewise;
- continue its efforts to process a significant number of Iraqi refugees for resettlement to the United States, including by interviewing applicants by videoconference in locations where in-person interviews cannot be conducted for security reasons; and
- ensure that Iraqi refugees scheduled to be resettled to the United States are not delayed unnecessarily by providing adequate personnel to conduct background screening and enforcing proper application of the existing waiver of the material support bar to individuals forced to provide support to terrorists under duress.

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USCIRF STATUS:

Tier 1 Country of Particular Concern

BOTTOM LINE:

Despite improvements in religious freedom, Saudi Arabia remains unique in the extent to which it restricts the public expression of any religion other than Islam. Not a single church or other non-Muslim house of worship exists in the country. The government privileges its own interpretation of Sunni Islam over all other interpretations. It also arrests and detains Shi'i Muslim dissidents and continues to imprison individuals for apostasy, blasphemy, and sorcery.

EXECUTIVE SUMMARY

FINDINGS: During the reporting period, the Saudi government made improvements in policies and practices related to freedom of religion or belief, but remains a “country of particular concern,” or CPC, for violations of freedom of religion or belief. During a February 2013 visit to the Kingdom, an array of nongovernmental interlocutors told USCIRF that King Abdullah continued to make concerted efforts to advance an agenda of reform that has positively impacted religious freedom. The areas of progress include: curtailing the powers of the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV); promoting a “culture of dialogue” and understanding between Muslim religious communities inside the Kingdom and advancing inter-religious dialogue in international fora; improving conditions for public religious expression by Shi’i Muslims in the Eastern Province; continuing efforts to counter extremist ideology inside the Kingdom; and making further revisions to remove intolerant passages from textbooks and curriculum.

Nevertheless, the Saudi government continues to ban most forms of public religious expression other than that of the government’s own interpretation of one school of Sunni Islam; prohibits any public non-Muslim places of worship; and periodically interferes with the private religious practice of non-Muslim expatriate workers in the country. There continued to be sporadic arrests and detentions of Shi’i Muslim dissidents, partly as a result of more frequent protests and demonstrations since early 2011. Saudi officials often cite national security concerns as a pretext for cracking down on religious minorities and Muslim dissidents. In addition, the Saudi government continued to prosecute, convict, and imprison individuals charged with apostasy, blasphemy, and sorcery.

Despite progress by the Saudi government on certain policies and practices, USCIRF again recommends in 2013 that Saudi Arabia be designated as a CPC for systematic, ongoing, and egregious violations of religious freedom. Although so designated by the State Department since 2004, an indefinite waiver on taking any action in consequence of the CPC designation has been in place since 2006.

PRIORITY RECOMMENDATIONS: USCIRF has concluded that full implementation by the Saudi government of policies it confirmed in July 2006 would diminish significantly the government’s institutionalized practices that negatively affect freedom of religion and belief. Religious freedom in Saudi Arabia has not been a U.S. priority in the bilateral relationship and, as a consequence, the U.S. government has not adequately held to account the Saudi government on its implementation of reforms confirmed in 2006 to advance freedom of religion and belief in the Kingdom. The U.S. government should replace the indefinite waiver of action with a limited 180-day waiver, during which time the Saudi government should advance and complete reforms, including those confirmed in July 2006 in U.S.-Saudi bilateral discussions. The U.S. government should call, at the highest levels, for the release of prisoners convicted and imprisoned on charges of apostasy, blasphemy, or sorcery. In addition, Congress should require the State Department to issue a public report 180 days after the publication of this report on the Saudi government’s efforts and results achieved in implementing reforms related to freedom of religion or belief. Additional recommendations for U.S. policy toward Saudi Arabia can be found at the end of this chapter.

SAUDI ARABIA

RELIGIOUS FREEDOM CONDITIONS

USCIRF FEBRUARY 2013 VISIT

In February, a USCIRF delegation traveled to Jeddah, Dhahran, and Riyadh to assess the Saudi government's progress on policies and practices related to freedom of religion or belief. The delegation

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met with high-level Saudi government officials, including the Ministers of Foreign Affairs, Justice, Education, Culture and Information, as well as the Assistant Minister of Islamic Affairs. The delegation also met with representatives from the King Abdulaziz Center for National Dialogue (KACND), the government-appointed National Human Rights Commission, the quasi non-governmental National Society for Human Rights, the Shi'i community, and Christian expatriate community, as well as lawyers, scholars, and women's rights activists. In addition, the delegation met with the U.S. Ambassador in Riyadh, the Consuls General in Jeddah and Dhahran, and U.S. Embassy staff.

During the visit, an array of non-governmental interlocutors asserted that Saudi Arabia is in the midst of a series of positive changes—although very slowly because the general population is still very conservative—and also asserted that King Abdullah is making every effort to advance an agenda of reform and modernization that has positive implications on a range of human rights concerns, including freedom of religion and belief.

POSITIVE DEVELOPMENTS

During the reporting period, conditions for public religious practice for Shi'i and Ismaili Muslims in certain parts of the country improved. The Shi'i community openly performed Ashura and other religious processions in Qatif and some other towns in the Eastern Province. In addition, the government temporarily shut down various media entities, particularly satellite television channels, which promoted intolerance and sometimes violence against the Shi'i community through their programming. Nevertheless, there continued to be some reports of limitations on religious practice and discrimination targeting members of the Shi'i community.

The Saudi government reiterated that in recent years approximately 3,550 government-appointed imams were fired for promoting an extremist ideology and more than 20,000 out of 75,000 imams and prayer leaders have been re-trained to espouse tolerance. In addition, according to the Saudi government, much of the language promoting intolerance and violence in Saudi textbooks and curriculum has been removed in grades one through nine and they continue to work on grades 10-12, which are expected to be completed by 2014. USCIRF was unable to confirm these assertions.

Furthermore, women and Muslim minorities have had a more pronounced public presence to discuss human rights and religious freedom concerns. In January 2013, for the first time ever, King Abdullah appointed 30 women to the previously all-male 150-member Shura Council.

STATE ENFORCEMENT OF A PARTICULAR INTERPRETATION OF ISLAM

Saudi Arabia is a Muslim country with a sizeable population of expatriate workers of various faiths. Nevertheless, the Saudi government persists in restricting most forms of public religious expression inconsistent with Sunni Islam and especially with its narrow interpretation. This policy violates the

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human rights of significant populations of Sunni Muslims who follow varying schools of thought, Shi'i and Ismaili Muslims, and both Muslim and non-Muslim expatriate workers. The government also tightly restricts the religious activity it does permit—through limits on the building of mosques, the appointment of imams, the regulation of sermons and public celebrations, and the content of religious education in public schools—and suppresses the religious views of Saudi and non-Saudi Muslims who do not conform to official positions. The Saudi King's official title is “Custodian of the Two Holy Mosques” in Mecca and Medina.

Some government-approved Sunni Muslim clerics continued to issue *fatwas* (religious edicts) and delivered sermons during the past year that justify committing violent acts against dissident Sunni Muslims, Shi'i Muslims, Jews, and Christians. Saudi officials acknowledged to USCIRF that some clerics continue to preach such views. However, in recent years, the Saudi government has taken steps to address intolerant *fatwas*. In 2010, several websites containing intolerant *fatwas* were blocked, following a decree by King Abdullah. The decree was issued to reduce controversial *fatwas* issued by ultra-conservative clerics. The decree restricts the right to issue *fatwas* to members of the officially-approved Council of Senior Islamic Scholars. Also, in 2010, the Council issued a *fatwa* condemning terrorist financing as forbidden by Islamic law. During USCIRF's 2013 visit, Saudi officials estimated that at least 3,550 imams had been dismissed for espousing extremist views and more than 20,000, of a total of 75,000 imams in the country, had been re-trained.

Muslim holy places in Mecca and Medina in the Hejaz region continue to be destroyed under the direction of the General Presidency's office, which reports directly to the King. The process has intensified over the past 10 years, and Saudi authorities have said that it has become necessary to raze areas surrounding the holy sites to accommodate a significant increase in the number of pilgrims visiting Mecca and Medina annually. The demolition has focused on mosques, burial sites, homes, and locations associated with Islamic history. During USCIRF's visit, some interlocutors suggested that this ongoing phenomenon is part of a state-endorsed policy to reject practices or habits that may lead to idolatry and polytheistic association (*shirk*) surrounding or near the holy sites.

MUSLIM HOLY PLACES IN MECCA AND MEDINA IN THE
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The Saudi government's policy toward expatriate workers, particularly non-Muslim workers, reflects the view that they have contracted to work in the Kingdom with advance knowledge of the special conditions in Saudi Arabia. As a result, the government curtails human rights, including religious freedom, for non-Saudis in the country and temporarily-employed expatriates. This affects two to three million non-Muslim workers, including Christians, Hindus, Buddhists, Sikhs, and others. Restrictions are often included in labor contracts requiring expatriate workers, including female domestic laborers, to conform to Saudi religious customs, thereby forcing them to waive their inalienable human rights protections, and submitting them to limitations, amounting to human rights abuses, enforced by Saudi employers.

CLASHES WITH SHI'I MUSLIM DEMONSTRATORS

In March 2011, after unrest began to envelope the Arab world including Saudi Arabia, the Ministry of Interior banned public protests as contrary to Shari'ah. Despite this ban, periodic small-scale demonstrations and protests have continued, some of which have resulted in violence, injuries, and deaths. In January 2012 in the Qatif region, Saudi security forces clashed with Shi'i Muslims celebrating Arbaeen, which marks the end of the 40-day mourning period after the anniversary of the death of the Prophet Muhammad's grandson. The clashes resulted in one death and at least three injuries. In July and August 2012, protests in the Qatif region intensified after Shi'i cleric Sheikh Nimr al-Nimr was wounded

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and arrested by police on July 8. Three men were killed in a protest on the evening of the arrest, and another killed five days later in nearby al-Awamiyah. Al-Nimr reportedly was physically abused while detained. Protest organizers in al-Awamiyah stated their support for al-Nimr and insisted on the use of non-violent resistance. One protester, Mohamed al-Shakhouri, reportedly was shot in the back and neck and arrested in late July after calling for al-Nimr's release. Further protests called for all Shi'i and Sunni detainees to be freed, including al-Shakhouri.

In addition, according to interlocutors in Saudi Arabia, approximately 180 Shi'i Muslims remain in prison for involvement in demonstrations since early 2011. Reportedly there have been no prosecutions for the deaths of at least 15 Shi'i protestors killed in clashes with Saudi security forces during demonstrations. Authorities have compensated families of some of the victims.

DISCRIMINATION AGAINST SHI'I AND ISMAILI MUSLIMS

Shi'i Muslims—approximately 10 to 15 percent of the population and most heavily concentrated in the Eastern Province—and members of indigenous Muslim communities who follow schools of thought other than that favored by the government are subject to official discrimination, particularly in government, education, political representation, the judiciary, and the media. This exclusion is partly political in motivation.

During USCIRF's February 2013 visit, representatives from the Shi'i community stated that conditions for public religious practice in parts of the Eastern Province had improved. Members of the Shi'i community in Qatif, where they represent the vast majority of the population, have held large public gatherings since 2007 in observance of Ashura and other religious processions without government interference. In addition, Shi'i interlocutors stated that most discriminatory language denigrating Shi'i Muslims in Saudi textbooks has been removed, although USCIRF was unable to confirm these assertions.

However, authorities continue to prohibit Shi'i observance in other areas of the Eastern Province, such as in al-Ahsa and Dammam. According to interlocutors, there are no Shi'i mosques in Dammam or Khobar. While dialogue between the Shi'i community and the Saudi government has increased, there has not been progress on re-opening mosques and *hussainiyas* (Shi'i meeting halls) in al-Ahsa and Dammam that have long been closed by the government.

Problems also remain in areas of the Eastern Province where the population is more evenly split. Over the past five years, Saudi authorities have carried out a series of short-term detentions of members of the Shi'i community, a pattern which continued in 2012. Generally, the individuals are not charged with any crime, nor do Saudi authorities offer any explanation other than suggesting that the detentions are punishment for holding private religious gatherings.

According to interlocutors, over the past five year, at least 600 Shi'i worshippers were detained for up to 30 days for worshipping in private homes or makeshift *hussainiyas* or for displaying various Shi'i symbols. Some of the other reasons cited for the arrests include: using a loud speaker outside a meeting hall; refusing to close down a makeshift place of worship; taking part in religious celebrations; and distributing sweets during religious occasions.

There are no Shi'i ministers in the government, only six of the 150-member *Shura* (Consultative Council) are Shi'i Muslims, and there are very few Shi'i Muslim leaders in high-level government positions, particularly in the security agencies. Since many Saudi judges consider Shi'i and Ismaili Muslims to be "non-believers," courts frequently treat them more severely. In addition, public schools indoctrinate children of Shi'i and Ismaili Muslims with the government's interpretation of Sunni Islam, and there is no alternative option in these schools for instruction according to the wishes of the parents.

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Ismaili Muslims, a Shi'i sect numbering some 700,000 in Saudi Arabia, continue to face discrimination by Saudi authorities, particularly in religious practice, government employment, the justice system, and education. There were also reports that the government has relocated some Ismailis from the southwest of the country to other areas in the Kingdom, as well as encouraged them to emigrate. The government does not finance the building of mosques for Ismailis, although it does so for Sunni Muslim houses of worship.

APOSTASY, BLASPHEMY, AND SORCERY CHARGES

The Saudi government uses criminal charges of apostasy and blasphemy to suppress discussion and debate and to silence dissidents. Promoters of political and human rights reforms, as well as those seeking to debate the role of religion in relation to the state, its laws, and society, are typically the target of such charges.

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During USCIRF's 2013 visit, Saudi officials asserted that there are limits on free speech, particularly when it comes to the Prophet Muhammad or Islam in general. Officials stated that unrestricted speech which transgresses "moral values" is unacceptable. One official suggested that Saudi media entities regularly criticize the government but they are not permitted to offend the feelings of individual members of the government or to criticize Islam. Saudi officials also stated that the government is making efforts to promote responsible and accountable expression.

In February 2012, after receiving numerous death threats, Hamza Kashgari, a 24-year old Saudi blogger, fled from Saudi Arabia to Malaysia amid possible apostasy and blasphemy charges for comments he posted on Twitter. After a few days, Malaysian authorities deported him back to Saudi Arabia, where he remains in detention in Jeddah awaiting formal charges. During USCIRF's visit, Saudi officials stated that Kashgari was detained because he wrote statements online which "disturbed the public order," a crime in the Kingdom. Saudi officials said that an individual can be held for up to six months without charge, and that Kashgari could, in fact, sue the government if he is not formally charged because he has been held for more than one year. Several officials claimed that Kashgari continues to be held for his own safety because many Saudi citizens have called for his death. In addition, authorities claimed to be "educating" Kashgari to express his opinions without arousing conflict or injuring the feelings of others.

In June 2012, Raif Badawi, the editor of the *Free Saudi Liberals* website which encourages religious debate, was arrested in Jeddah and reportedly charged with apostasy, "insulting Islam through electronic channels," and "going beyond the realm of obedience." In January 2013, a Saudi court decided not to pursue the apostasy charge, which carries the death penalty. However, Badawi continues to face the other two charges and remains in prison. In December 2012, Saudi writer Turki al-Hamad was arrested after reportedly publishing a series of tweets calling for reform of Islamist teachings. He remains in detention without charge.

Historically, Saudi authorities have used charges of "sorcery" and "witchcraft" against individuals, including handing down severe punishments for those who are convicted. During USCIRF's visit, Saudi officials explained that sorcery is forbidden in Islam because it is considered a deceptive practice that preys on ignorant and vulnerable individuals and inflicts psychological or physical harm, including death. Saudi authorities explained that the practice of "witchcraft" is a lesser offense. Anti-sorcery departments exist in CPVPV branches across the country, responsible for investigating and reporting incidents of "sorcery" to local police. Several Muslims remain in prison on alleged sorcery charges and others have

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been executed over the past few years. In June 2012, a Saudi man, Muree bin Issa al-Asiri, reportedly was executed in Najran for sorcery and adultery.

WOMEN'S RIGHTS

On a positive note, over the past few years, there has been an increase in the role of women in society and more public space to discuss human rights practices affecting women. In January 2013, for the first time ever, King Abdullah appointed 30 women to the previously all-male 150-member Shura Council. Women were not permitted to vote in the September 2011 municipal elections, although King Abdullah announced that women would be able to vote and run in the next round of municipal elections in 2015.

Nevertheless, the government's adoption of a legal system that combines local tribal customs with 18th century jurisprudence of a conservative school of Islamic thought adversely affects the human rights of women in Saudi Arabia, including their freedom of speech, movement, association, and religion; freedom from coercion; access to education; and full legal equality.

Women face discrimination both in law and in practice. For example, women seeking medical care, whether emergency or not, may be refused medical treatment by hospitals if they lack the consent of a male relative. When appearing in public, women must adhere to a conservatively-interpreted religious dress code. Women must obtain written permission from a male relative to travel inside or outside the country and are not permitted to drive motor vehicles. In addition, Saudi courts, which apply the Saudi government's mix of laws to the cases before them, do not grant women equal legal status to men. A woman's testimony is treated as one-half the testimony of a man and divorce laws are interpreted to require a woman to demonstrate legally-specified grounds for divorce, while men may divorce without cause.

STATE HARASSMENT OF PRIVATE WORSHIP

Non-Muslims are not allowed to have Saudi nationality and no non-Muslim places of worship are permitted in the country. In addition, the Saudi government enforces and limits public worship to its sanctioned version of Sunni Islam.

In March 2012, Saudi Grand Mufti Abdulaziz Al al-Sheikh was quoted in the Arabic press as saying it is "necessary to destroy all the churches of the region" in response to a visiting Kuwaiti delegation who asked him if churches should be banned in Kuwait. For years, and also during USCIRF's February 2013 visit, Saudi government officials argued that places of worship other than mosques cannot exist in the Kingdom because Saudi Arabia is home to Islam's two holiest sites: Mecca and Medina. In addition, government officials pointed to a *hadith* (oral tradition) from the Prophet Muhammad which says that only Islam can exist on the Arabian Peninsula, although other Islamic experts contend that this *hadith* can be interpreted differently.

NON-MUSLIMS ARE NOT ALLOWED TO HAVE SAUDI
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ARE PERMITTED IN THE COUNTRY.

In 2012 and 2013, Saudi officials reiterated the government position that non-Muslim expatriate workers are permitted to worship in private. However, what constitutes "private" worship remains unclear and vague. The Saudi government has said that as long as non-Muslims practice their religion in small groups in private homes, no security entity would interfere, since no law prohibits non-Muslims from practicing

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in this manner. During USCIRF's visit, some non-Muslim interlocutors said they are able to worship in rented compounds with as many as 300 or more participants. In one case, the congregation voluntarily affirmed to Saudi authorities that they do not proselytize and do not permit any Saudi citizens to attend their gatherings.

Saudi authorities continue to subject expatriate workers from South Asia and several African countries to surveillance and raids. In fact, representatives of some non-Muslim communities continue to assert that, in practice, religious freedom does not exist in the Kingdom, but some others disagree. During USCIRF's 2013 visit, Saudi officials stated that no one is arrested for private worship, but some gatherings are raided because foreign workers' residency permits have expired. Some expatriate workers dispute this assertion. Outside the compounds populated by foreign workers, where private worship is allowed, expatriate workers continue to fear government interference with their private worship. This interference can occur for many reasons, such as if a worship service is too loud, has too many attendees, including if there are too many vehicles in front of a compound, or occurs too often at the same place.

During the year, there continued to be public reports of incidents in which Saudi authorities entered and raided private homes where non-Muslim expatriate workers were worshipping in private. Several other cases were not publicized in order to secure releases. In February 2013, police and CPVPV members reportedly arrested nearly 50 Ethiopian and Eritrean expatriate workers conducting a religious fellowship gathering in a private home. At least five have since been released, although more than 40 remain in detention at the end of the reporting period. Several reportedly do not have residence permits and risk deportations, but more than 20 possess valid work permits. In December 2011, approximately 35 Ethiopian Christians reportedly were detained for holding a private prayer gathering and charged with "mixing with the opposite sex." Some alleged physical abuse during interrogations. By August 2012, all 35 had been deported. Saudi officials stated that the group was arrested not because of religious beliefs but because they were monitoring the home of an Ethiopian citizen suspected of housing expatriate workers without valid permits. According to Saudi authorities, at least 20 individuals did not have valid residency permits and were deported.

During the past year, there were no reports of government officials confiscating religious materials and no reports that customs officials confiscated religious materials from travelers, whether Muslims or non-Muslims. Individuals were able to bring personal religious materials into the country without difficulty.

In addition, in September 2012, the Saudi government eased the rules and regulations for non-Muslim expatriates to bury their dead in their home countries as well as at a designated cemetery in Riyadh. Also, during the reporting period, senior Saudi government officials, including King Abdullah, made statements with the reported aim of improving the climate of tolerance toward members of non-Muslim religions.

THE DIMINISHING ROLE OF THE COMMISSION TO PROMOTE VIRTUE AND PREVENT VICE (CPVPV)

Restrictions on religious practice by both Saudis and non-Saudis are officially enforced in large part by the CPVPV, a government entity that includes a force of approximately 5,000 field officers, nearly 2,000 administrative workers, and more than 3,500 field offices throughout the country. In the past, there were hundreds of "unofficial" volunteers who took it upon themselves to carry out the work of the CPVPV, although in 2012, the Saudi government disbanded the volunteer force. Furthermore, in January 2012, King Abdullah appointed a new director of the CPVPV, Abdullatif al-Alsheikh. The CPVPV, which reports to the King, is tasked with enforcing public morality based on the Saudi government's interpretation of Islamic law. Members of the CPVPV patrol the streets enforcing dress codes, maintaining the strict separation of men and women, ensuring that restaurants and shops are closed during

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daily prayers, and enforcing other restrictions on behavior. USCIRF continues to call for the dissolution of the CPVPV.

In recent years, including during the past year, the public presence of the CPVPV has diminished. Nevertheless, in some cases, members of the CPVPV periodically overstep authority. Despite the fact that the CPVPV is not allowed to engage in surveillance, detain individuals for more than 24 hours, arrest individuals without police accompaniment, or carry out any kind of punishment, its members have been accused over the past year of beating, whipping, detaining, and otherwise harassing individuals.

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INTERPRETATION OF
ISLAMIC LAW.

In January 2013, a new law was passed limiting the jurisdiction of the CPVPV. According to reports, members of the CPVPV will no longer have the power to interrogate or press charges against individuals. In 2012, the CPVPV director banned searches without prior agency approval, delegated arrest and interrogation power to other agencies, and prohibited officers from patrolling outside shopping malls to prevent people from entering. During USCIRF's 2013 visit, several activists, including women, stated that Saudi citizens have challenged members of the CPVPV when they were harassed.

Saudi government officials claim to have dismissed, disciplined, and criminally tried members of the CPVPV for abuses of power. During USCIRF's 2013 visit, Saudi officials confirmed that there have been cases where members of the CPVPV have been accused of abuse. Officials claimed that several individuals already have been awarded damages by Saudi administrative courts and that there are cases before the criminal courts alleging that members of the CPVPV were responsible for the death or injury of Saudi citizens.

INTOLERANT REFERENCES IN EDUCATIONAL MATERIALS AND TEXTBOOKS

In July 2006, the State Department publicly stated that the Saudi government had confirmed that it planned to “revise and update textbooks to remove remaining intolerant references that disparage Muslims or non-Muslims or that promote hatred toward other religions or religious groups, a process the Saudi government expects to complete in one to two years [no later than July 2008].” Several years later, the revisions remain incomplete.

During USCIRF's 2013 visit, Saudi officials stated that textbooks from grades one through nine have been revised to remove intolerant passages, and that the government is still working on revisions for grades 10-12, which they expect to complete by 2014. By the end of the reporting period, despite efforts to access the textbooks on a website provided by the Saudi government, USCIRF was unable to download the books and review the revisions for grades one through nine². Nevertheless, Saudi high school textbooks in use during the 2011-2012 school year continue to teach hatred toward other religions and, in some cases, promote violence. For example, some high school texts justified violence against apostates, sorcerers, and homosexuals and labeled Jews and Christians “enemies of the believers.” In addition, one high school textbook continues to present the “Protocols of the Elders of Zion” —a notorious forgery designed to promote hostility toward Jews—as an authentic document.

In October 2012, past and current leaders of prominent American publishing companies published an op-ed expressing “profound disappointment that the Saudi government continues to print textbooks inciting

² The following Web Site of the Ministry of Education's textbooks was provided by the Saudi Embassy in Washington, DC: <http://www.ed.edu.sa/books/>.

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hatred and violence against religious minorities.” The article also cited two examples of passages from the “most recent” eighth and ninth textbooks which incite hatred and intolerance.

The State Department’s latest report on religious freedom, released in July 2012, stated: “The [Saudi] government reported completing revisions in half the grades, but Arabic and religion textbooks continued to contain overtly intolerant statements against Jews and Christians as well as intolerant references by allusion against Shi’i and Sufi Muslims and other religious groups...Reform programs for the other grades were being developed at year’s end, but most school children used textbooks that retained language intolerant of other religious traditions, especially Jewish, Christian, and Shi’i beliefs, and included commands to hate infidels for their *kufr* (unbelief) and kill apostates.”

In early 2012, the Saudi Minister of Education stated publicly that the government needed an additional three years to revise textbooks, and that the Ministry is “developing curricula that would absorb new visions and promote citizenship, tolerance, and openness towards others....”

COUNTERING EXTREMISM INSIDE THE KINGDOM AND HALTING ITS EXPORTATION

There continue to be reports that funding originating in Saudi Arabia is used globally to finance religious schools, mosques, hate literature, and other activities that support religious intolerance and, in some cases, violence toward non-Muslims and disfavored Muslims.

Over the past several years, the Saudi government has undertaken measures to combat extremism inside the country, such as rehabilitation and prevention programs for convicted extremists and terrorists, as well as retraining and/or dismissing imams and school teachers known to espouse extremist views. As part of the prevention program’s “mindset” component, the Saudi government distributed to the public millions of pamphlets, tracts, messages, and ads of religious opinions condemning terror and warning against the hijacking of airplanes, bombings, and assassinations. Many of these initiatives, implemented through the Saudi Interior Ministry’s guidance department, are designed to confront extremism through the propagation of a “more judicious interpretation of religious doctrine.” Examples include dropping the *takfir* doctrine, which involves accusing another Muslim of being an apostate to justify his murder, and insisting on strict jurisprudence of recognized authorities.

Saudi officials assert that they continue to screen and monitor prospective and current teachers who espoused extremist religious views. During USCIRF’s 2013 visit, representatives of the government-funded KACND stated that it had trained hundreds of teachers on “Educational Dialogue in the Classroom.” According to Saudi officials, the government also continues to screen and monitor government-paid clerics in mosques throughout the country, although some public officials and clerics still make discriminatory and intolerant statements. In rural areas, the KACND “Caravan of Dialogue” program worked with local imams to include the concepts of dialogue in their Friday sermons and is in the process of retraining 40,000 additional Muslim clerics as part of a program to promote tolerance and moderation in Saudi society.

DURING THE PAST YEAR, THERE WERE CONTINUED REPORTS OF VIRULENTLY ANTI-SEMITIC, ANTI-CHRISTIAN, AND ANTI-SHI’I SENTIMENTS IN THE OFFICIAL MEDIA AND OCCASIONALLY IN SERMONS DELIVERED BY CLERICS.

During the past year, there were continued reports of virulently anti-Semitic, anti-Christian, and anti-Shi’i sentiments in the official media and occasionally in sermons delivered by clerics. This continues despite some clerics having been disciplined for preaching extremist views. According to the State Department,

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the Ministry of Islamic Affairs supervised clerics through “regular inspections, surprise inspections, complaints received from worshipers, and investigations of accusations in the press.” Representatives from the Ministry of Culture and Information stated that the Saudi government is working on promoting “responsible and accountable freedom” through government-controlled media outlets.

In response to inquiries about the Saudi government’s commitment to halting the global dissemination from the Kingdom of extremist ideology, literature, and other materials, government officials cited, among other things, the new activities of the Saudi government-funded King Abdullah Bin Abdulaziz International Center for Interreligious and Intercultural Dialogue (KAICIID) in Vienna, Austria as a counter measure. After its inauguration in October 2011, the KAICIID opened its offices in November 2012. KAICIID’s stated objective is “to enhance inter-religious and intercultural dialogue thus fostering respect, understanding and cooperation among people, promote justice, peace and reconciliation, and counter-act the abuse of religion to justice oppression, violence and conflict.”

In the past, Islamic Affairs sections in Saudi embassies worldwide reportedly were responsible for both distributing extremist and intolerant materials and providing diplomatic status to Muslim clerics, including non-Saudi clerics. According to the Saudi government, these sections have been closed due to such reports.

EMPOWERMENT OF OFFICIALLY-SANCTIONED HUMAN RIGHTS INSTITUTIONS

In September 2005, the Council of Ministers, chaired by King Abdullah, approved the establishment of a government-appointed, 24-member Human Rights Commission (HRC) that reports directly to the King. The HRC continues to engage the Saudi government on a variety of human rights concerns. During USCIRF’s 2013 visit, HRC members and staff stated that the climate for freedom of religion and belief had improved over the past few years and that there had been significant progress for women in all aspects of society. In particular, the HRC cited progress on public religious practice for Shi’i and Ismaili Muslims in the Kingdom and, also, that a high percentage of Saudi Shi’i students were studying aboard on scholarships, including in the United States, when compared to the overall percentage in the population.

In March 2004, the Saudi government approved the formation of a National Society for Human Rights (NSHR), the country’s first and only independent, legally-recognized human rights body. The NSHR is comprised of 41 members, including 10 women. The NSHR, which was originally endowed by King Fahd, submits its reports and recommendations directly to King Abdullah. Over the years, the NSHR has publicly criticized alleged human rights violations committed by the Saudi government, including violations of freedom of religion or belief.

U.S. POLICY

Despite a series of challenges in recent years, U.S.-Saudi relations remain close. For years, the U.S. government’s reliance on the Saudi government for cooperation on counterterrorism, regional security, and energy supplies has limited its willingness to press the Saudi government to improve its poor human rights record. Many experts agree that Saudi leaders seek to preserve their political authority by maintaining their legitimacy among the conservative religious establishment. Many observers contend that the United States does not want to jeopardize important bilateral initiatives by pushing for political and human rights reforms, despite opportunities emerging as a result of demonstrations calling for increased reforms and greater rights throughout the Arab world.

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Security cooperation continues to be a foundation of official U.S.-Saudi relations, bolstered by major new arms sales, continued security training arrangements, enhanced counterterrorism cooperation, and shared concerns about potential threats posed by Iran and al-Qaeda. New joint efforts to build stronger economic and educational ties are intended to broaden the basis of the bilateral relationship and help meet the economic demands and aspirations of the Kingdom's growing young population.

In late December 2011, the Obama administration publicly announced that Saudi Arabia had agreed to terms to proceed with a \$29 billion sale of advanced F-15 fighter aircraft. In March 2012, the Pentagon announced that Boeing had been selected for another contract worth \$11.4 billion to supply 84 new F-15s along with related systems and weaponry as part of the sale. Congress was notified of the proposed sale in October 2010, and Saudi Arabia received the formal letter of offer and approval for consideration in April 2011.

According to the State Department, U.S. policy seeks to press the Saudi government to “respect religious freedom and honor its public commitment to permit private religious worship by non-Muslims, eliminate discrimination against minorities, promote respect for non-Muslim religious belief, and combat violent extremism.” The U.S. government supports King Abdullah's interfaith and intercultural initiative to promote religious dialogue and tolerance and continues to encourage the government's efforts to revise and update its textbooks and remove intolerant passages advocating violence. The U.S. government included Saudi officials in several exchange and U.S. visitor programs to promote religious tolerance and interfaith dialogue.

Since 2000, USCIRF has recommended that Saudi Arabia be designated as a CPC for engaging in systematic, ongoing, and egregious violations of the right to freedom of religion or belief. In September 2004, the State Department followed the Commission's recommendation and designated Saudi Arabia a CPC for the first time. In 2005, a temporary waiver was put in place, in lieu of any action as a consequence of CPC designation, to allow for continued diplomatic discussions between the U.S. and Saudi governments and “to further the purposes of the International Religious Freedom Act” (IRFA). In July 2006, the waiver was left in place when the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the U.S. government to identify and confirm a number of policies that the Saudi government “is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups.” Among the measures that were confirmed by Saudi Arabia as state policies were:

- Revise and update textbooks to remove remaining intolerant references that disparage Muslims or non-Muslims or that promote hatred toward other religions or religious groups, a process the Saudi government expects to complete in one to two years [no later than July 2008].
- Prohibit the use of government channels or government funds to publish or promote textbooks, literature, or other materials that advocate intolerance and sanction hatred of religions or religious groups.
- Control distribution of Saudi educational curricula to ensure that unauthorized organizations do not send them abroad.
- Ensure Saudi embassies and consulates abroad review and destroy any material given to them by charities or other entities that promote intolerance or hatred.
- Guarantee and protect the right to private worship for all, including non-Muslims who gather in homes for religious practice.

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- Address grievances when the right to private worship is violated.
- Ensure that customs inspectors at borders do not confiscate personal religious materials.
- Ensure that members of the CPVPV do not detain or conduct investigations of suspects, implement punishment, violate the sanctity of private homes, conduct surveillance, or confiscate private religious materials.
- Hold accountable any CPVPV officials who commit abuses.
- Bring the Kingdom's rules and regulations into compliance with human rights standards.

In August 2011, the State Department re-designated Saudi Arabia a CPC but kept in place a waiver of any action "to further the purposes" of IRFA.

RECOMMENDATIONS

USCIRF has concluded that full implementation by the Saudi government of the previously-confirmed policies in July 2006 would diminish significantly the government's institutionalized practices that negatively affect freedom of religion and belief. USCIRF urges the U.S. government to address religious freedom and other human rights issues actively and publicly with the Saudi government and to report openly on the government's success or failure to implement genuine reforms in these areas, in order to ensure that the Saudi government's initiatives will result in substantial, demonstrable progress.

I. STRENGTHENING U.S. HUMAN RIGHTS DIPLOMACY AS PART OF THE BILATERAL RELATIONSHIP

The U.S. government should:

- continue to designate Saudi Arabia a CPC and as a consequence replace the indefinite waiver with a temporary 180-day waiver, during which time the Saudi government should complete the religious freedom reforms agreed to in the July 2006 confirmed policies;
- press the Saudi government to dissolve the CPVPV and continue efforts to ensure that law enforcement is entrusted to professionals from law enforcement agencies with a precise jurisdiction and subject to judicial review; conduct prompt and independent investigations into reported abuses; ensure complainants due process and other rights under international law, including the right to challenge the lawfulness of his/her detention and be released if it is not lawful; and provide the right to a remedy, including an enforceable right to compensation;
- call, at the highest levels, for the release of Hamza Kashgari, Raif Badawi, Turki al-Hamad, and other prisoners who have been convicted and remain in prison on charges of apostasy, blasphemy, or sorcery;
- press the Saudi government to address incitement to violence and discrimination against disfavored Muslims, such as Shi'i and Ismaili Muslims, and non-Muslims by:

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- prosecuting government-funded clerics and other officials who incite violence against members of Muslim or non-Muslim minority communities, and dismiss or discipline those espousing intolerance;
- refuting, publicly and officially, incitement to violence and discrimination by clerics, government officials, and the government-controlled media against members of Muslim or non-Muslim minority communities; and
- rescinding *fatwas* issued by government-funded clerics that are discriminatory toward or incite violence against members of Muslim or non-Muslim minority communities; and
- address the work of the Human Rights Commission (HRC) and National Society for Human Rights (NSHR) by:
 - urging the Saudi government to ensure that all government agencies cooperate fully with the HRC and the NSHR, including by publishing the decree requiring cooperation and imposing penalties for failure to cooperate;
 - urging the HRC and NSHR to study the situation of freedom of religion or belief in the Kingdom with regard to majority and minority faiths, using universal human rights standards as a benchmark, and report its findings publicly; and
 - urging the Saudi government to implement recommendations from the NSHR's reports, which would improve human rights compliance in the Kingdom.

The U.S. Congress should:

- require the State Department to issue a public progress report within 180 days of the publication of this report on efforts and results achieved by the Saudi government to implement religious freedom reforms announced in July 2006 following bilateral discussions between the two countries; and
- fund and develop regular exchanges with members of the Saudi Consultative Council (*Shura*) on human rights and religious freedom.

II. ADDRESSING INTOLERANCE IN EDUCATION MATERIALS IN SAUDI ARABIA AND AROUND THE WORLD

The U.S. government should:

- undertake and make public an assessment of the Ministry of Education textbooks used during the current school year in Saudi Arabia to determine if they have been revised to remove passages that teach religious intolerance or hatred, which the Saudi government confirmed in July 2006 that it would do within one to two years;
- urge the Saudi government to include in all school curricula, in school textbooks, and in teacher training the concepts of tolerance and respect for the human rights of all persons, including religious freedom, consistent with the Universal Declaration of Human Rights;
- urge the Saudi government to end its restriction permitting only the teaching of the government's interpretation of Sunni Islam at public and private schools and universities in the country;

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- request that the Saudi government make publicly available teacher training manuals used in state primary and secondary schools inside the country or sent abroad, to evaluate whether materials promote hatred, intolerance, or justify or encourage human rights violations; and
- report publicly to Congress on all the above areas as part of the reporting on progress of Saudi government implementation of the July 2006 confirmation of policies, referred to in Part I above.

III. PRESSING FOR IMMEDIATE IMPROVEMENTS IN OTHER AREAS RELATED TO FREEDOM OF RELIGION OR BELIEF

The U.S. government should press for other immediate improvements in respect for religious freedom, including by urging the Saudi government to:

- ratify international human rights instruments, including the International Covenant on Civil and Political Rights and without reservations that would undermine the Covenant;
- establish genuine safeguards for the freedom to worship in accordance with international standards, and end state prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- allow non-Muslim religious practices to occur more openly and allow foreign clergy to enter the country to carry out worship services and to bring religious materials for such services;
- convene a public interfaith conference inside Saudi Arabia with Muslim and non-Muslim faiths represented, and continue the Kingdom's interfaith activities globally;
- broadcast inside Saudi Arabia activities and programs of the King Abdullah Bin Abdulaziz International Center for Interreligious and Intercultural Dialogue in Vienna, Austria; and
- permit independent non-governmental organizations to monitor and promote human rights, including freedom of religion or belief, and invite the UN Special Rapporteur on Freedom of Religion or Belief to conduct a visit to Saudi Arabia in accordance with the standard terms for such a UN visit.

OTHER COUNTRIES AND REGIONS MONITORED

BAHRAIN
BANGLADESH
BELARUS
ETHIOPIA
TURKEY
VENEZUELA
WESTERN EUROPE

OTHER COUNTRIES AND REGIONS MONITORED

BAHRAIN

In December 2012, a USCIRF delegation traveled to Manama to assess conditions for freedom of religion or belief, particularly progress by the Bahraini government in implementing relevant recommendations from the Bahrain Independent Commission of Inquiry (BICI), including related to the rebuilding of Shi'i mosques and religious structures the government destroyed in 2011.

The delegation met in Manama with high-level government officials, including the Minister of Justice and Islamic Affairs and the Minister of Human Rights. The delegation also met with the Secretary-General of one of the leading Shi'i opposition groups, the Al-Wefaq National Islamic Society; Sunni and Shi'i religious leaders; representatives of human rights organizations; representatives of non-Muslim religious minority communities; other civil society leaders, such as lawyers and media personalities; and ordinary Bahraini citizens. In addition, the delegation met with the U.S. Ambassador and other Embassy staff.

While Bahrain does not meet the criteria to be placed this year on USCIRF's Tier 1 or Tier 2, inadequate implementation of the relevant BICI recommendations over the next year may negatively impact its status. USCIRF remains concerned by the government's ongoing lack of accountability for abuses against the Shi'i community since 2011. USCIRF acknowledges some progress by the Bahraini government in implementing various BICI recommendations related to freedom of religion or belief, but much more needs to be done. USCIRF will continue to monitor closely the religious freedom situation in Bahrain over the next year.

BACKGROUND

Bahrain is a somewhat diverse country and Bahraini citizens have a deep sense of their culture and history going back centuries. With a population of approximately 1.2 million, approximately half are Bahraini citizens and half are expatriate workers, primarily from South Asian countries. Almost half of the expatriate workers are non-Muslim (approximately 250,000-300,000). The religious demography of Bahraini citizens is estimated at 60-65% Shi'a and 30-35% Sunni, with approximately 1-2% non-Muslims, including Christians, Hindus, Sikhs, Jews, and Baha'is. Bahrain is ruled by a Sunni Muslim monarchy, the Al-Khalifa family. All Bahrainis interviewed during the visit—including governmental and non-governmental interlocutors—described Bahraini society as historically tolerant of all faiths and religiously pluralistic.

UNREST IN 2011 AND THE BICI REPORT

February 14, 2011 marked the beginning of a series of demonstrations by the predominantly Shi'i Muslim majority population in Bahrain. The demonstrators initially called for various political reforms by King Hamad bin Isa Al-Khalifa. However, over time, and after authorities brutally cracked down on the protestors, the demands changed with some demonstrators calling for an end to the monarchy. Particularly in February and March, Bahraini authorities and security forces overwhelmingly targeted the Shi'i Muslim population with mass arrests, detentions, imprisonments, torture, and killings. Sectarian violence between Shi'i and Sunni Muslims increased.

The Bahraini government implemented an emergency State of National Safety by royal decree from March 15 to June 1. During that period, military and civilian security forces carried out extensive security operations and arrested individuals, the vast majority of whom were Shi'i Muslims, including activists and clerics whose activities were both political and religious. In June, the Bahraini government created and funded the Bahraini Independent Commission of Inquiry (BICI) to write a report on the

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violence and to offer recommendations to the Bahraini government. The BICI released its final report in November 2011.

The BICI report found that nearly 3,000 people were detained during the crackdown, and as many as half faced abuses such as electric shocks and beatings in detention. The report concluded that the government of Bahrain committed systematic and egregious human rights violations by suppressing pro-democracy protests, particularly in February and March 2011. It concluded that a lack of accountability by Bahraini authorities led to a “culture of impunity” and violations of international and Bahraini law. The abuses included excessive use of force against protesters leading to more than 35 deaths and hundreds of injuries, arbitrary arrests and detentions, psychological and physical abuse of detainees that in “many cases” amounted to torture, and a pattern of due process violations and unfair trials. Some security forces also were killed by protestors. Nevertheless, the report found that security forces systematically raided homes in order to arrest individuals. This practice often was accompanied by sectarian insults and verbal abuse. The report also documented the unfair and summary dismissals of thousands of professionals, workers, and students, the vast majority of whom were Shi’i Muslims. The report found no evidence linking the government of Iran to the unrest and no evidence that Gulf area troops, led by Saudi Arabia, committed human rights abuses.

The BICI received information that Bahraini authorities demolished 53 Shi’i religious structures during or in consequence of the crackdown but was only able to visit 30 sites, 28 of which were mosques, one a *matam* (congregation hall), and one a shrine. The BICI recommended that the Bahraini government “consider rebuilding, at its expense, some of the demolished religious structures in accordance with administrative regulations” as soon as possible.

GENERAL FINDINGS FROM USCIRF VISIT

Since the 2011 unrest, sectarian tension and polarization has risen dramatically. Many of USCIRF’s interlocutors, who came from various perspectives, could not envision a positive outcome or possible resolution to the political stalemate between the government and Shi’i opposition. Some asserted that the only way forward was through genuine dialogue without any preconditions, something that remains elusive.

During USCIRF’s visit, there were two competing narratives that dominated. The first narrative reflects the government perspective and those sympathetic to the government: opposition Shi’i activists and protestors are emboldened and supported by the Iranian government and are trying to create chaos and instability in the country by rioting and demonstrating in the streets, including by committing violent acts. The second narrative reflects the predominantly Shi’i majority and opposition movement: the government has committed serious human rights abuses on opposition demonstrators over the past two years, primarily against the Shi’i community and opposition groups, and it is not willing to make genuine political reforms which the Bahraini people have been demanding for years.

Representatives from the various non-Muslim religious minority communities stated that the unrest since 2011 had not adversely impacted their communities, although they all hoped for a resolution soon. Compared to other countries in the region, Bahrain is among the most tolerant of non-Muslim religious minority communities. The government officially recognizes several Christian denominations, a tiny Jewish community, Hindus, Sikhs, and a Baha’i community. The Catholic Church is in the process of building a church on land donated by King Hamad and other communities have public worship facilities.

OTHER COUNTRIES AND REGIONS MONITORED

RELIGIOUS FREEDOM IMPLICATIONS OF THE UNREST

The government crackdown on dissent and opposition over the past two years has negatively impacted religious freedom in the country, in that it involved:

- discrimination and physical abuse in 2011 against Shi'i Muslims who participated in demonstrations;
- dismissal of Shi'i students from universities and doctors and government workers from private and public sector jobs because of their involvement in demonstrations;
- ongoing discrimination against Shi'i Muslims in government employment, particularly upper defense and security jobs;
- the destruction of at least 30-35 Shi'i mosques and religious structures in the spring of 2011; and
- increased rhetoric from official media outlets inflaming sectarian tensions and demonizing the Shi'i Muslim population.

Abuses, Accountability, and Discrimination

Some Shi'i Muslims interviewed by the USCIRF delegation alleged physical abuse and torture on the basis of their religious identity and because they had participated in various demonstrations since February 2011. Some examples include physical beatings, electric shock, being forced to stand for many hours at a time, being subject to derogatory religious slurs during interrogation, being forced to eat their own fecal matter, and being doused with urine. To date, only a few lower-level police officers or security officials have been tried, prosecuted, and convicted for abuses, with little or no transparency about these trials and convictions. No high-level government officials have been held accountable for the killing, torturing, imprisoning, and targeting of Shi'i Muslims during the 2011 unrest.

The government asserted that as many as 120 Bahraini security officials and police are being investigated or tried and approximately 18-20 are in jail. Other interlocutors disputed the numbers, saying there may be 20 cases that are going through the court system, although very slowly and without transparency.

Members of the Shi'i community still cannot serve in the active military, only in administrative positions, and there are no Shi'a in the upper levels of the Bahrain government security apparatus, including the military and police. The vast majority of the more than 4,000 Shi'i workers in the public and private sectors who were dismissed from jobs have been reinstated, although some were either demoted or reassigned to lower-level jobs. In addition, the majority of the Shi'i university students who were expelled from universities have been reinstated.

Destruction of Shi'i Religious Structures and the Status of Reconstruction

The government acknowledged the destruction of Shi'i religious structures only by accepting the BICI report, but has not publicly taken responsibility or apologized. Although it is unclear who in the government ordered the demolition of the structures, it appears to have been carried out by security forces to intimidate and humiliate the Shi'i opposition in response to the demonstrations. The government demolished at least 30-35 Shi'i mosques, *matams* (religious gathering halls), and other religious structures, some of which existed for decades. During USCIRF's visit, government officials claimed that most of the

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structures were illegal, but they could not answer why so many were destroyed in a short period of time (between March and May 2011).

According to Bahraini officials, only five mosques had fully complied with legal and administrative requirements for acquisition of land and obtaining required permits. The others were in violation of a law requiring all mosques to have at least a building permit and a royal deed. However, according to the BICI report, the Bahraini government did not follow legal provisions requiring notice and an administrative, and possibly judicial, hearing before the demolitions.

Government officials claimed that the reconstruction of at least seven mosques was complete or almost complete, and others were in the process of, or being planned for, reconstruction. The Ministry of Justice and Islamic Affairs stated that several million dollars had been allotted for reconstruction of mosques. The USCIRF delegation visited four sites where Shi'i mosques were being reconstructed. At three of the locations, construction was nearly complete. At the fourth location, the destroyed mosque was right off a major highway, and the government said it would build the mosque about 200 meters off the highway so that it would not be a safety hazard. Construction had not yet started at the fourth location.

The BICI Follow-Up Unit, a Bahraini government entity, released a report in November 2012 stating that construction at five mosque sites was 70% complete. In addition, the government stated that progress was being made to regularize the status of all unlicensed Shi'i religious structures. The report identified 30 mosques, which were in various stages of being constructed, obtaining permits, or seeking approval. There is no clear timeframe for completion of all 30 mosques.